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# Environmental Register

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The Environmental Register is a Publication of the Illinois Pollution Control Board

Dr. Deanna Glosser, Chairman

Board Members:

Jennifer A. Burke, Jerome D. O'Leary, and Carrie Zalewski

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# Letter from the Chairman

In February, the Board took action on rulemakings that generated public interest and comment. Below, these recent rulemakings are summarized.

On February 5, 2015, the Board adopted a first notice proposal in Management of Used and Waste Tires: Proposed Amendments to 35 Ill. Adm. Code 848, R15-19. The proposal amends the Board's rules governing management of used and waste tires and is being submitted for the purpose of complying with Public Act 98-656, which, among other things, directs the Illinois Environmental Protection Agency (Agency) to propose certain revisions to the Part 848 rules. The Agency states that the rulemaking proposal is "intended to protect the State's residents from" the threats resulting from improper management of used and waste tires" while simultaneously minimizing impacts on markets and businesses that diminish those threats by recycling and reusing tires." The proposal accomplishes these goals, in part, by requiring tire tracking and record keeping along with establishing a tire storage permit program for specified tire storage sites. In addition, the Agency states that the proposal has benefited from three rounds of outreach with the Indiana/Illinois Tire Dealers Association resulting in feedback considered by the Agency in the proposal.



On February 19, 2015, the Board continued to update its procedural rules in adopting a first notice opinion and order in Procedural Rules Amendments: Proposed Amendments to 35 Ill. Adm. Code 101, 108, R 15-20. In proposing the first notice, the Board incorporated proposed changes from R15-9, Procedural Rule Amendments to Requirements for Out-of-State Attorneys and Service of Filings: Proposed Amendments to 35 Ill. Adm. Code 101 and closed that docket. This proposal will amend the Board's procedural rules for out-of-state attorneys and service of filings. The proposal will also amend the Board's procedural rules for administrative citations filed pursuant to Section 23.1 of the Public Water Supply Operations Act (415 ILCS 45/23.1). P.A. 98-0856, eff. Aug. 4, 2014.

Also on February 19, 2015, the Board adopted amended rules in 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, R-14-23. The Board originally adopted Part 1600 in 2006 to implement Section 25d of the Environmental Protection Act, which requires public notification when contamination poses a threat of exposure above appropriate remediation objectives on one or more offsite properties. Subsequent legislative and rulemaking actions necessitated the amendment of these rules. The rules require notice to specified members of the public if measured offsite soil gas contamination from the site where the release occurred poses a threat of exposure above the appropriate Tier I remediation objectives. The rule also requires notice if measured offsite groundwater contamination from volatile chemicals poses a threat of indoor inhalation exposure above the appropriate Tier I remediation objectives.

I would also like to take this opportunity to note a small change to the Board's agenda for its bi-monthly meetings. Many of you may have noticed a notation on the agenda for a case indicating a "status update". The Board is using this notation as a way of alerting the public and its members that a case is nearing a decision.

Please visit the Board website at [www.ipcb.state.il.us](http://www.ipcb.state.il.us) for information on the rulemakings listed above as well as other Board rulemaking dockets and contested cases.

Sincerely,

A handwritten signature in cursive script that reads "Deanna Glosser". The signature is written in dark ink on a white background.

Deanna Glosser, Ph.D.  
Chairman

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### Rulemaking Update

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#### Board Proposes First-Notice Amendments to Used and Waste Tire Rules, R15-19

On February 5, 2015, the Board adopted a first-notice opinion and order in which the Board proposed to amend its Part 848 rules on managing used and waste tires. The Illinois Environmental Protection Agency (IEPA) filed the rulemaking proposal on December 22, 2014, and the Board promptly accepted the proposal for hearing. New Section 55.2(b-5) of the Environmental Protection Act (415 ILCS 5/55.2(b-5), added by Public Act 98-656, eff. June 19, 2014) requires the Board to adopt specified rules within nine months after receiving IEPA's proposal. The Board therefore adopted the proposed amendments for first-notice publication in the *Illinois Register* without commenting on the merits of IEPA's proposal. The rulemaking is captioned Management of Used and Waste Tires: Proposed Amendments to 35 Ill. Adm. Code 848, docket R15-19.

In its rulemaking proposal, IEPA observes that since the Part 848 rules were last amended in 1998, Illinois has experienced several major fires at tire storage sites. Those fires show the continuing threats to public health, safety, and welfare caused by the mismanagement of used and waste tires. According to IEPA, the proposed rule amendments are intended to "to protect the State's residents from those threats while simultaneously minimizing impacts on markets and businesses that diminish those threats by transforming used and waste tires into marketable commodities." The proposed amendments would require tire tracking and record keeping and establish a tire storage permit program. In addition, IEPA states that the proposal has benefited from three rounds of outreach with the Indiana/Illinois Tire Dealers Association.

Publication of the first-notice amendments in the *Illinois Register* will begin a public comment period of at least 45 days, during which anyone may file a public comment with the Board. The Board encourages persons to file public comments on these proposed amendments. The docket number for this rulemaking, R15-19, should be indicated on the public comment.

Public comments must be filed with the Clerk of the Board. Public comments may be filed in paper at the following address: Pollution Control Board, Attn: Clerk, 100 West Randolph Street, James R. Thompson Center, Suite 11-500, Chicago, IL 60601-3218. Alternatively, public comments may be filed electronically through the Clerk's Office On-Line (COOL) on the Board's website at [www.ipcb.state.il.us](http://www.ipcb.state.il.us). Any questions about electronic filing through COOL should be directed to the Clerk's Office at 312-814-3629.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board's website and may be downloaded without charge. Hard copies may be obtained from the Clerk's Office upon payment of reproduction fees as prescribed by the Freedom of Information Act.

For more information, please contact Chad Kruse at 312-814-3665 or [chad.kruse@illinois.gov](mailto:chad.kruse@illinois.gov).

### **Board Adopts Final Amendments to “Right-to-Know” Rules, R14-23**

On February 19, 2015, the Board adopted final “right-to-know” amendments in the rulemaking captioned 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, docket R14-23. The Board originally adopted the Part 1600 “right-to-know” rules in 2006 to implement Title VI-D of the Environmental Protection Act (415 ILCS 5/25d-1 *et seq.* (2012)). Generally, Title VI-D requires public notification when contamination poses a threat of exposure above appropriate standards. Since the Board adopted the Part 1600 rules, legislative and regulatory actions have occurred that necessitate these rule amendments.

The adopted amendments require that notice be given to specified members of the public if (1) measured off-site soil gas contamination poses a threat of exposure above the appropriate Tier 1 remediation objectives for the current off-site property use or uses; or (2) measured off-site groundwater contamination from volatile chemicals poses a threat of indoor inhalation exposure above the appropriate Tier 1 remediation objectives for the current off-site property use or uses. The phrase “Tier 1 remediation objectives” refers to standards in the Board’s risk-based Tiered Approach to Corrective Action Objectives or “TACO” rules at 35 Ill. Adm. Code 742. The final amendments largely reflect IEPA’s original rulemaking proposal of June 2014.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board’s website and may be downloaded without charge. Hard copies may be obtained from the Clerk’s Office (Pollution Control Board, Attn: Clerk, 100 West Randolph Street, James R. Thompson Center, Suite 11-500, Chicago, IL 60601-3218) upon payment of reproduction fees as prescribed by the Freedom of Information Act.

For more information, please contact Tim Fox at 312-814-6085 or [tim.fox@illinois.gov](mailto:tim.fox@illinois.gov).

### **Board Adopts Final “Identical-In-Substance” Rules for SDWA Update, R15-6**

On February 19, 2015, the Board adopted final amendments to the Illinois drinking water regulations that are “identical in substance” to amendments made—during the first half of calendar year 2014—by the United States Environmental Protection Agency (USEPA) under the Safe Drinking Water Act (SDWA). The Board’s rulemaking is captioned SDWA Update, USEPA Amendments (January 1, 2014 through June 30, 2014), docket R15-6. These final amendments incorporate three USEPA actions into the Illinois rules. The update includes USEPA’s February 26, 2014 corrections to the Revised Total Coliforms Rule (RTCR) and USEPA’s June 19, 2014 summary approvals of 21 new alternative equivalent analytical methods for monitoring physical, chemical, and microbiological parameters of drinking water. On June 27, 2014, USEPA corrected its June 19, 2014 action.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board’s website and may be downloaded without charge. Hard copies may be obtained from the Clerk’s Office (Pollution Control Board, Attn: Clerk, 100 West Randolph Street, James R. Thompson Center, Suite 11-500, Chicago, IL 60601-3218) upon payment of reproduction fees as prescribed by the Freedom of Information Act.

For more information, please contact Michael McCambridge at 312-814-6983 or [michael.mccambridge@illinois.gov](mailto:michael.mccambridge@illinois.gov).

### **Board Proposes First-Notice Rule Amendments on Procedures for Out-of-State Attorneys; Service; and Administrative Citations against “Responsible Operators in Charge” of Community Water Supplies, R15-20**

On February 19, 2015, the Board proposed procedural rule amendments for first-notice publication in the *Illinois Register*. The rulemaking is captioned Procedural Rule Amendments: Proposed Amendments to 35 Ill. Adm. Code 101, 103, 106, 108, docket R15-20. The Board initiated this rulemaking to accomplish three primary objectives. First, the proposal provides that an out-of-state attorney may appear as counsel in a Board adjudicatory proceeding

only if the attorney has permission to do so pursuant to amended Supreme Court Rule 707. Second, the Board proposes to clarify—particularly for non-attorneys—the procedural rules on how to serve a filing, when to initiate service, when service is effective, how to document service, and when to file documentation of service. Third, the proposal accommodates the new administrative citation process under Section 23.1 of the Public Water Supply Operations Act (415 ILCS 45/23.1, amended by Public Act 98-856, eff. Aug. 4, 2014). IEPA now can file administrative citations against “responsible operators in charge” of community water supplies for alleged reporting violations.

Publication of the first-notice amendments in the *Illinois Register* will begin a public comment period of at least 45 days, during which anyone may file a public comment with the Board. The Board encourages persons to file public comments on these proposed amendments. The docket number for this rulemaking, R15-20, should be indicated on the public comment.

Public comments must be filed with the Clerk of the Board. Public comments may be filed in paper at the following address: Pollution Control Board, Attn: Clerk, 100 West Randolph Street, James R. Thompson Center, Suite 11-500, Chicago, IL 60601-3218. Alternatively, public comments may be filed electronically through COOL on the Board’s website at [www.ipcb.state.il.us](http://www.ipcb.state.il.us). Any questions about electronic filing through COOL should be directed to the Clerk’s Office at 312-814-3629.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board’s website and may be downloaded without charge. Hard copies may be obtained from the Clerk’s Office upon payment of reproduction fees as prescribed by the Freedom of Information Act.

For more information, please contact Daniel Robertson at 312-814-6931 or [daniel.robertson@illinois.gov](mailto:daniel.robertson@illinois.gov).

# Board Actions

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**February 5, 2015**  
**Via videoconference**  
**Springfield and Chicago, Illinois**

## **Rulemakings**

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|---------------|---|-----|
| <b>R15-9</b>  | <u>In the Matter of: Procedural Rule Amendments to Requirements for Out-of-State Attorneys and Service of Filings: Proposed Amendments to 35 Ill. Adm. Code 101</u> (Procedural) – The Board on its own motion closed this docket because the proposed amendments are part of subsequent Board rulemaking R15-20.   | 4-0 |
| <b>R15-12</b> | <u>UST Update, USEPA Amendments (July 1, 2014 through December 31, 2014)</u> (Land) – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its underground storage tank regulations during the update period of July 1, 2014 through December 31, 2014.                            | 4-0 |
| <b>R15-14</b> | <u>National Ambient Air Quality Standards Update, USEPA Amendments (July 1, 2014 through December 31, 2014)</u> (Air) – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its ambient air quality standards during the update period of July 1, 2014 through December 31, 2014. | 4-0 |
| <b>R15-15</b> | <u>Definition of VOM Update, USEPA Amendments (July 1, 2014 through December 31, 2014)</u> (Air) – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its volatile organic material regulations during the update period of July 1, 2014 through December 31, 2014.              | 4-0 |
| <b>R15-16</b> | <u>SDWA Update, USEPA Amendments (July 1, 2014 through December 31, 2014)</u> (Water) – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its drinking water regulations during the update period of July 1, 2014 through December 31, 2014.                                    | 4-0 |
| <b>R15-17</b> | <u>UIC Update, USEPA Amendments (July 1, 2014 through December 31, 2014)</u> (Land) – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its underground injection control regulations during the update period of July 1, 2014 through December 31, 2014.                       | 4-0 |
| <b>R15-18</b> | <u>RCRA Subtitle D Update, USEPA Amendments (July 1, 2014 through December 31, 2014)</u> (Land) – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its municipal solid waste landfill regulations during the update period of July 1, 2014 through December 31, 2014.          | 4-0 |

- R15-19**                    In the Matter of: Management of Used and Waste Tires: Proposed Amendments to 35 Ill. Adm. Code 848 (Tires-Land) – The Board adopted a non-substantive first notice opinion and order in this rulemaking to amend the Board’s used and waste tire regulations. 4-0
- R15-20**                    In the Matter of: Procedural Rule Amendments: Proposed Amendments to 35 Ill. Adm. Code 101, 108 (Procedural) – No action taken.

**Administrative Citations**

- AC 11-16**                    IEPA v. Phillip Newell – In response to a joint stipulation and proposed settlement agreement in this administrative citation action involving a Williamson County facility, the Board found that respondent had violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (2012)) and ordered respondent to pay a civil penalty of \$1,500. The Board also granted the parties’ joint motion to dismiss respondent’s petition for review. To effectuate the parties’ intent that respondent pay a total civil penalty of \$1,500, the Board on its own motion dismissed the alleged violations of Section 21(p)(3) and (p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(3), 21(p)(7) (2012)). 4-0
- AC 13-60**                    IEPA v. James Harris – 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 \$672.04 and a civil penalty of \$12,000. This order follows the Board’s interim order of December 4, 2014, which found that this respondent had violated Sections 21(p)(1), 21(p)(3), 21(p)(4), and 21(p)(7) of the Environmental Protection Act (Act). 415 ILCS 5/21(p)(1), (p)(3), (p)(4), (p)(7) (2012). 4-0
- AC 14-38**                    IEPA v. Lone Oak Enterprises, Inc. and Lomax & Sons Construction – In response to a joint stipulation and proposed settlement agreement in this administrative citation action involving a Jefferson County facility, the Board found that respondents had violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (2012)) and ordered respondent to pay a civil penalty of \$1,500. The Board also granted the parties’ joint motion to dismiss respondents’ petition for review. To effectuate the parties’ intent that respondents pay a total civil penalty of \$1,500, the Board on its own motion dismissed the alleged violations of Sections 21(p)(3), (p)(7) and 55(k)(1) of the Act (415 ILCS 5/21(p)(3), (p)(7), 55(k)(1) (2012)). 4-0
- AC 14-51**                    IEPA v. Charles H. Schafer, Jr. d/b/a Chucks Auto Sales – In response to a joint stipulation and proposed settlement agreement in this administrative citation action involving a Peoria County facility, the Board found that respondent had violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (2012)) and ordered respondent to pay a civil penalty of \$1,500. The Board also granted the parties’ joint motion to dismiss respondent’s petition for review. To effectuate the parties’ intent that respondent pay a total civil penalty of \$1,500, the Board on its own motion dismissed the alleged violations of Sections 21(p)(3) and 55(k)(1) of the Act (415 ILCS 5/21(p)(3), 55(k)(1) (2012)). 4-0
- AC 15-17**                    IEPA v. Bernard and Carolyn Carr and Jeffrey Yerk – The Board accepted respondents’ amended petition for review involving a Fulton County facility. 4-0

**AC 15-23**      IEPA v. Marcus Bishop d/b/a B's Tires – The Board found that this Cook County respondent violated Sections 21(p)(1) and 55(k)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1), 55(k)(1) (2012)), and ordered respondent to pay a civil penalty of \$3,000.      4-0

## **Adjudicatory Cases**

**PCB 06-62**      Kincaid Generation, L.L.C. v. IEPA      4-0  
(Air-Permit Appeal, CAAPP) – The Board granted the parties’ joint motion to lift the stay of the uncontested permit conditions, remanded the permit to the Illinois Environmental Protection Agency, and retained jurisdiction.

**PCB 14-1**      Chatham BP, LLC v. IEPA      4-0  
(UST-Permit Appeal) – On Chatham BP, LLC’s (Chatham) motion for authorization of legal fees, the Board directed the Illinois Environmental Protection Agency (Agency) to reimburse Chatham \$21,314.70 in legal fees and costs from the UST Fund. The Board remanded Chatham’s proposed Stage 2 site investigation budget to the Agency for review.

**PCB 15-105**      People of the State of Illinois v. Mexichem Specialty Resins, Inc.      4-0  
(Air -Enforcement) – In this water enforcement action concerning a Marshall 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 \$10,000.00, and to cease and desist from further violations.

**PCB 15-106**      People of the State of Illinois v. Clean Harbors Environmental Services, Inc.      4-0  
(Land -Enforcement) – No action taken.

**PCB 15-107**      People of the State of Illinois v. Capron Mfg. Co.      4-0  
(Land -Enforcement) – In this land enforcement action concerning a Boone 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 \$12,000.00, and to cease and desist from further violations.

**PCB 15-130**      Waste Management Illinois Renewable Energy, LLC v. IEPA      4-0  
(Air-Tax Certification) – The Board found and certified that specified facilities of Waste Management Illinois Renewable Energy, LLC located in Kane County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2012)). The Board made no determination regarding the facilities’ reciprocating engines.

**PCB 15-131**      Marathon Petroleum Company, LP, Diesel Oxidation Catalyst System v. IEPA      4-0  
(Air-Tax Certification) – The Board found and certified that specified facilities of Marathon Petroleum Company, LP located in Crawford County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2012)).

**PCB 15-134**      Ameren Missouri and Pinckneyville Energy Center v. IEPA      4-0  
(Air-Permit Appeal, CAAPP) – The Board granted petitioner’s motion for stay of the challenged conditions of the permit.

<b>PCB 15-138</b>	<u>Dynegy Midwest Generation, LLC v. IEPA</u> (Water-Permit Appeal, NPDES) – The Board granted petitioner’s motion for stay of the challenged conditions of the permit.	4-0
<b>PCB 15-140</b>	<u>Charlesetta Owens v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this St. Clair County facility.	4-0
<b>PCB 15-141</b>	<u>Wessel's Enterprises, Inc. v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Effingham County facility.	4-0
<b>PCB 15-142</b>	<u>Nu Deal Oil Company v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this St. Clair County facility.	4-0
<b>PCB 15-143</b>	<u>Baker Brothers II, Inc. v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Randolph County facility.	4-0
<b>PCB 15-144</b>	<u>Donald Koch v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Alexander County facility.	4-0
<b>PCB 15-145</b>	<u>King's 66 Service Station v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Madison County facility.	4-0
<b>PCB 15-146</b>	<u>PAK-AGS, Inc. v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Madison County facility.	4-0
<b>PCB 15-147</b>	<u>Clinton County Oil Co. v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Clinton County facility.	4-0
<b>PCB 15-148</b>	<u>Willie McIntosh v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this St. Clair County facility.	4-0
<b>PCB 15-149</b>	<u>Wayne Edwards, Jr. v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Morgan County facility.	4-0
<b>PCB 15-150</b>	<u>Leon Rothe v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Marion County facility.	4-0
<b>PCB 15-151</b>	<u>Tom Klukaczynski v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Bureau County facility.	4-0
<b>PCB 15-152</b>	<u>Quick Oil Company v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Fulton County facility.	4-0

<b>PCB 15-153</b>	<u>NACME Steel Processing, LLC v. IEPA</u> (Air-Permit Appeal, CAAPP) – The Board accepted for hearing this FESOP permit appeal on behalf of this Cook County facility.	4-0
<b>PCB 15-154</b>	<u>People of the State of Illinois v. Fitness International, LLC, and C. E. Gleeson Constructors, Inc.</u> (Water -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 water enforcement action involving a DuPage County facility, the Board ordered publication of the required newspaper notice.	4-0
<b>PCB 15-155</b>	<u>People of the State of Illinois v. Illinois American Water Company</u> (Water -Enforcement) – The Board accepted for hearing this water enforcement action concerning two facilities in Cook and DuPage Counties.	4-0

**January 22, 2015  
Chicago, Illinois**

**Rulemakings**

<b>R08-9(D)</b>	<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> (Water) – No action taken.	
<b>R14-23</b>	<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 final opinion and order in this rulemaking to amend the Board’s Right to Know regulations.	4-0
<b>R15-6</b>	<u>SDWA Update, USEPA Amendments (January 1, 2014 through June 30, 2014)</u> (Water) – The Board adopted a final opinion and order in this “identical-in-substance” rulemaking to amend the Board’s drinking water regulations.	4-0
<b>R15-10</b>	<u>In the Matter of: Amendments to the Board's Administrative Rules, 2 Ill. Adm. Code 2175</u> (Procedural) – The Board accepted the Joint Committee on Administrative Rules’ recommendation in this rulemaking to amend the Board’s administrative rules.	4-0
<b>R15-20</b>	<u>In the Matter of: Procedural Rule Amendments: Proposed Amendments to 35 Ill. Adm. Code 101, 108</u> (Procedural) – The Board adopted a first notice opinion and order in this rulemaking to amend the Board’s procedural rules.	4-0

**Adjusted Standards**

<b>AC 14-3</b>	<u>In the Matter of: Petition of Brickyard Disposal &amp; 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)</u> (Land) – No action taken.	
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## Administrative Citations

AC 15-26	<u>IEPA v. Joseph DeRosa &amp; Gwen A. Griffiths and DeRosa Autobody</u> – The Board accepted respondents’ petition for review involving a Sangamon County facility.	4-0
AC 15-27	<u>IEPA v. Lee Farms Excavating</u> – The Board found that this Ford County respondent violated Sections 21(p)(1), (p)(3), (p)(7) and 55(k)(1) of the Environmental Protection Act (415 ILCS 5/21 (p)(1), (p)(3), (p)(7) and 55(k)(1) (2012)), and ordered respondent to pay a civil penalty of \$6,000.	4-0

## Adjudicatory Cases

PCB 13-15	<u>Sierra Club, Environmental Law and Policy Center, Prairie Rivers Network, and Citizens Against Ruining the Environment v. Midwest Generation</u> (Water-Enforcement, Citizens) – The Board granted complainants’ motions for leave to file a reply and to file an amended complaint.	4-0
PCB 14-24	<u>SABIC Innovative Plastics US LLC v. IEPA</u> (Water-Permit Appeal, NPDES) – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal.	4-0
PCB 15-14	<u>PAK-AGS, Inc. v. IEPA</u> (UST-Permit Appeal) – No action taken.	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>	4-0
PCB 15-69 (cons.)	<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 denied Roxana’s and Fairmont City’s motions to reconsider the Board’s December 18, 2014 opinion and order.	4-0
PCB 15-84	<u>Allen McAfee v. IEPA</u> (UST-Permit Appeal) – No action taken.	4-0
PCB 15-91	<u>Phillips 66 Company v. IEPA</u> (UST-Permit Appeal, 90-Day Ext.) – 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 Cook County facility.	4-0
PCB 15-93	<u>James R. Fiser v. James "Henry" Meador</u> (Noise-Enforcement) – Finding the complaint “frivolous,” the Board granted respondent’s motion to dismiss, but allowed complainant to file within 30 days an amended complaint correcting noted deficiencies.	4-0
PCB 15-116	<u>People of the State of Illinois v. Spaeth Welding, Inc.</u> (Land -Enforcement) – In this land enforcement action concerning a Clinton 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 \$10,000.00, and to cease and desist from further violations.	4-0

**PCB 15-156**

People of the State of Illinois v. Fitness International, LLC, and C. E. Gleeson Constructors, Inc.

4-0

(Air-Enforcement, CAAPP) – 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 air enforcement action involving a Marshall County facility, the Board ordered publication of the required newspaper notice.

## New Cases

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### February 5, 2015 Board Meeting

**PCB 15-140** Charlesetta Owens v. IEPA (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this St. Clair County facility.

**PCB 15-141** Wessel's Enterprises, Inc. v. IEPA (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Effingham County facility.

**PCB 15-142** Nu Deal Oil Company v. IEPA (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this St. Clair County facility.

**PCB 15-143** Baker Brothers II, Inc. v. IEPA (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Randolph County facility.

**PCB 15-144** Donald Koch v. IEPA (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Alexander County facility.

**PCB 15-145** King's 66 Service Station v. IEPA (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Madison County facility.

**PCB 15-146** PAK-AGS, Inc. v. IEPA (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Madison County facility.

**PCB 15-147** GBL Properties, Inc. (1801 Old Missouri Avenue) v. IEPA (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this St. Clair County facility.

**PCB 15-148** Clinton County Oil Co. v. IEPA (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Clinton County facility.

**PCB 15-149** Wayne Edwards, Jr. v. IEPA (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Morgan County facility.

**PCB 15-150** Leon Rothe v. IEPA (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Marion County facility.

**PCB 15-151** Tom Klukaczynski v. IEPA (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Bureau County facility.

**PCB 15-152** Quick Oil Company v. IEPA (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Fulton County facility.

**PCB 15-153** NACME Steel Processing, LLC v. IEPA (Air-Permit Appeal, CAAPP) – The Board accepted for hearing this FESOP permit appeal on behalf of this Cook County facility.

**PCB 15-154** People of the State of Illinois v. Fitness International, LLC, and C. E. Gleeson Constructors, Inc. (Water - 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 water enforcement action involving a DuPage County facility, the Board ordered publication of the required newspaper notice.

**PCB 15-155** People of the State of Illinois v. Illinois American Water Company (Water -Enforcement) – The Board accepted for hearing this water enforcement action concerning two facilities in Cook and DuPage Counties.

## **February 19, 2015**

**AC 15-28** IEPA v. Marcus Bishop d/b/a B's Tires– The Board accepted an administrative citation against this Cook County respondent.

**AC 15-29** IEPA v. Sean's Tap, Inc. – The Board accepted an administrative citation against this Fulton County respondent.

**AC 15-30** IEPA v. Mark E. Bosecker – The Board accepted an administrative citation against this Wabash County respondent.

**AC 15-31** IEPA v. Joseph DeRosa & Gwen A. Griffitts and DeRosa Autobody– The Board accepted an administrative citation against these Sangamon County respondents.

**AC 15-32**IEPA v. Lee Farms Excavating – The Board accepted an administrative citation against this Ford County respondent.

**PCB 15-156** People of the State of Illinois v. Village of Chesterfield (Air-Enforcement, CAAPP) – 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 air enforcement action involving a Marshall County facility, the Board ordered publication of the required newspaper notice.

**PCB 15-157** Gary L. Polchow v. Village of Rankin (Air, Water-Enforcement, Citizens) – No action taken..

## Calendar

<p><b>3/5/2015</b> <b>11:00 AM</b></p>	<p><b>Illinois Pollution Control Board Meeting</b></p>		<p><b>Videoconference</b> <b>Chicago/Springfield</b> <b>James R. Thompson Center</b> <b>Hearing Room 11-512</b> <b>100 W. Randolph Street</b> <b>Chicago</b> <b>And</b> <b>Pollution Control Board</b> <b>Hearing Room</b> <b>1021 N. Grand Avenue East</b> <b>Room 2012 N</b> <b>Springfield</b></p>
<p><b>3/5/2015</b> <b>1:00 PM</b></p>	<p>R15-19</p>	<p><u>In the Matter of: Management of Used and Waste Tires: Proposed Amendments to 35 Ill. Adm. Code 848</u></p>	<p>Illinois EPA Sangamo Conference Hearing Room 1021 North Grand Avenue East, North Entrance Springfield</p>
<p><b>3/19/2015</b> <b>11:00 AM</b></p>	<p><b>Illinois Pollution Control Board Meeting</b></p>		<p><b>Chicago</b> <b>James R. Thompson Center</b> <b>100 W. Randolph Street</b> <b>Chicago</b></p>
<p><b>4/2/2015</b> <b>11:00 AM</b></p>	<p><b>Illinois Pollution Control Board Meeting</b></p>		<p><b>Chicago</b> <b>James R. Thompson Center</b> <b>100 W. Randolph Street</b> <b>Chicago</b></p>
<p><b>4/15/2015</b> <b>1:00 PM</b></p>	<p>R15-19</p>	<p><u>In the Matter of: Management of Used and Waste Tires: Proposed Amendments to 35 Ill. Adm. Code 848</u></p>	<p>James R. Thompson Center Room 11-512 100 W. Randolph Chicago</p>
<p><b>4/16/2015</b> <b>11:00 AM</b></p>	<p><b>Illinois Pollution Control Board Meeting</b></p>		<p><b>Chicago</b> <b>James R. Thompson Center</b> <b>100 W. Randolph Street</b> <b>Chicago</b></p>
<p><b>5/7/2015</b> <b>11:00 AM</b></p>	<p><b>Illinois Pollution Control Board Meeting</b></p>		<p><b>Chicago</b> <b>James R. Thompson Center</b> <b>100 W. Randolph Street</b> <b>Chicago</b></p>
<p><b>5/21/2015</b> <b>11:00 AM</b></p>	<p><b>Illinois Pollution Control Board Meeting</b></p>		<p><b>Chicago</b> <b>James R. Thompson Center</b> <b>100 W. Randolph Street</b> <b>Chicago</b></p>
<p><b>6/4/2015</b> <b>11:00 AM</b></p>	<p><b>Illinois Pollution Control Board Meeting</b></p>		<p><b>Chicago</b> <b>James R. Thompson Center</b> <b>100 W. Randolph Street</b> <b>Chicago</b></p>

<b>6/18/2015</b> <b>11:00 AM</b>	<b>Illinois Pollution Control Board Meeting</b>	<b>Chicago</b> <b>James R. Thompson Center</b> <b>100 W. Randolph Street</b> <b>Chicago</b>
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# **ANNUAL LISTING**

## **ILLINOIS EPA's ANNUAL LISTING OF DEDICATED NATURE PRESERVES**

<b><u>Dedicated Nature Preserves</u></b>	<b><u>County</u></b>	<b><u>Proposed</u></b>	<b><u>Final</u></b>
Parker Fen	McHenry County	September 1998	January 1999
Fogelpole Cave	Monroe County	May 2003	August 2003
Boone Creek Fen	McHenry County	November 2004	March 2005
Amberin Ash Ridge	McHenry County	November 2004	March 2005
Lee Miglin Savanna	McHenry County	November 2004	March 2005
Spring Hollow Fen	McHenry County	November 2004	March 2005
Pautler Cave	Monroe County	May 2005	August 2005
Stemler Cave	St. Clair County	May 2005	August 2005
Armin Krueger Speleological	Monroe County	December 2009	May 2010
Elizabeth Lake	McHenry County	December 2009	May 2010
Lake in the Hills Fen	McHenry County	December 2009	May 2010
Volo Bog	Lake County	December 2009	May 2010
Illinois Beach	Lake County	December 2009	May 2010
Bluff Spring Fen	Cook County	December 2009	May 2010
Romeoville Prairie	Will County	December 2009	May 2010
Lockport Prairie	Will County	December 2009	May 2010
Braidwood Dunes and Savanna	Will County	December 2009	May 2010
George B. Fell	Ogle County	April 2012	July 2012
Spring Grove Fen	McHenry County	April 2012	July 2012
Gladstone Fen	McHenry County	April 2012	July 2012
Cotton Creek Marsh	McHenry County	April 2012	July 2012
Trout Park	Kane County	April 2012	July 2012
Goose Lake Prairie	Grundy County	April 2012	July 2012
Sand Ridge	Cook County	March 2013	June 2013
Searls Park Prairie	Winnebago County	March 2013	June 2013
Yonder Prairie	McHenry County	March 2013	June 2013

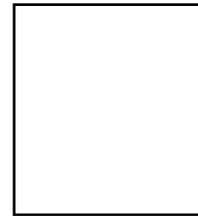
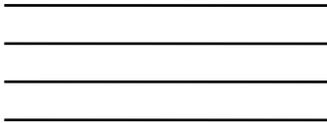
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The Illinois Pollution Control Board is an independent five-member board that adopts environmental control standards, rules on enforcement actions, and other environmental disputes for the State of Illinois.

The *Environmental Register* is published monthly by the Board, and contains updates on rulemakings, descriptions of final decisions, the Board's hearing calendar, and other environmental law information.

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Illinois Pollution Control Board  
Environmental Register Coordinator  
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