

# ILLINOIS POLLUTION CONTROL BOARD

## MEETING MINUTES

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**April 16, 2015**

**1:00 pm**

### **Videoconference**

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

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

### **ANNOUNCEMENTS**

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Chairman Glosser welcomed members of the public and staff.

### **ROLL CALL**

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

### **APPROVAL OF MINUTES**

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The minutes of the April 2, 2015 open meeting were approved by a vote of 5-0.

### **PUBLIC REMARKS**

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None

### **RULEMAKINGS**

<b>R08-9 (E)</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) – The Board entered an order requesting public comment on the proposed closing of this sub-docket.	5-0
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<b>R14-20</b>	<u>In the Matter of: Emergency Rulemaking Regarding Regulation of Coke/Coal Bulk Terminals; 35 Ill. Adm. Code Part 213</u> (Air) – In response to the Illinois Environmental Agency’s report that it did not intend to proceed with this rulemaking, the Board closed this rulemaking docket.	5-0
<b>R14-22</b>	<u>In the Matter of: Proposal of Clifford-Jacobs Forging Co. for an Amendment to the Site-Specific Rule at 35 Ill. Adm. Code 901-119</u> (Noise) – The Board adopted a first notice opinion and order in this rulemaking to amend the Board’s noise regulations. Any person may submit comments or request a hearing on petitioner’s proposal within the public comment period ending on June 30, 2015.	5-0

### ADJUSTED STANDARDS

<b>AS 13-2</b>	<u>In the Matter of Petition of Emerald Performance Materials LLC for an Adjusted Standard from 35 Ill. Adm. Code 304.122(b)</u> (Water) – The Board granted petitioner an adjusted standard with conditions from the ammonia effluent limit at 35 Ill. Adm. Code 304.122(b) at its Marshall County facility.	4-1 Glosser dissented
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### ADMINISTRATIVE CITATIONS

<b>AC 15-30</b>	<u>IEPA v. David E. Beal</u> – The Board found that this Jefferson County respondent violated Sections 21(p)(1) and 55(k)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) and 55(k)(1) (2012)), and ordered respondent to pay a civil penalty of \$3,000.	5-0
<b>AC 15-33</b>	<u>IEPA v. Gerald Cain and Eddie Jones</u> – The Board accepted respondent’s petition for review involving a Union County facility. The Board reserved ruling regarding Eddie Jones, as the time for his appeal has not expired.	5-0

### ADJUDICATORY CASES

<b>PCB 14-111</b>	<u>Sanitary District of Decatur v. IEPA</u> (Water – Variance) – The Board granted petitioner’s motion to continue the stay until June 30, 2015.	5-0
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<b>PCB 15-108</b>	<u>Distressed Properties, Inc. v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Cook County facility.	5-0
<b>PCB 15-109</b>	<u>People of the State of Illinois v. Gold Standard Baking, Inc.</u> (Air -Enforcement) – In this air enforcement action concerning a Cook 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 \$25,000 civil penalty, and to cease and desist from further violations.	5-0
<b>PCB 15-133</b>	<u>Larry Kelly, d/b/a River Shannon Recycling v. IEPA</u> (Permit Appeal) – Having previously granted a request for a 90-day extension, the Board dismissed this matter because no permit appeal was filed on behalf of this Cook County facility.	5-0
<b>PCB 15-155</b>	<u>People of the State of Illinois v. Illinois American Water Company</u> (Water -Enforcement) – The Board denied respondent’s motion to appear <i>pro hac vice</i> .	5-0
<b>PCB 15-156</b>	<u>People of the State of Illinois v. PolyOne Corporation</u> (Air – Enforcement, CAAPP) – In this air 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 \$10,000 civil penalty, and to cease and desist from further violations.	5-0
<b>PCB 15-175</b>	<u>Estate of Coy Joe Thomas v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Coles County facility.	5-0
<b>PCB 15-176</b>	<u>Ahmad Zahdan v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Logan County facility.	5-0

**OTHER ITEMS**

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## ADJOURNMENT

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Moved and seconded, by a vote of 5-0, Chairman Glosser adjourned the meeting at 1:20 p.m.

I, John T. Therriault, Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on May 7, 2015, by a vote of 5-0.



John T. Therriault, Clerk  
Illinois Pollution Control Board