

ILLINOIS POLLUTION CONTROL BOARD

MEETING MINUTES



May 21, 2015

11:00 am

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

Chairman Glosser welcomed members of the public and staff.

ROLL CALL

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

APPROVAL OF MINUTES

The minutes of the May 7, 2015 open meeting were approved by a vote of 5-0.

PUBLIC REMARKS

Public remarks regarding R08-9(D) provided by John Quail, Director, Watershed Policy for Friends of the Chicago River; Robert Hirschfeld, Prairie Rivers Network; Katrina Phillips, Clean Water Organizer, Sierra Club, Illinois Chapter.

RULEMAKINGS

R08-9(D)	<p><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) – Pursuant to an agreement with the Joint Committee on Administrative Rules to extend the Second Notice Period for an additional 45 days, the Board reopened the public comment period to June 1, 2015.</p>	5-0
R08-9(E)	<p><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 on its own motion dismissed this docket.</p>	5-0
R15-19	<p><u>In the Matter of: Management of Used and Waste Tires: Proposed Amendments to 35 Ill. Adm. Code 848</u> (Land-Tires) – No action taken.</p>	
R15-22	<p><u>In the Matter of: Public Water Supplies: Proposed Amendments to 35 Ill. Adm. Code Parts 601, 602, and 603</u> (Public Water Supply) – The Board accepted for hearing the Agency’s May 8, 2015 proposal to amend the Board’s public water supply regulations.</p>	5-0

ADJUSTED STANDARDS

AS 15-3	<p><u>In the Matter of: Petition of the City Of Collinsville for an Adjusted Standard from 35 Ill. Adm. Code 620.410 for Certain Constituents</u> (Water) – The Board directed the hearing officer to set this adjusted standard petition for hearing.</p>	5-0
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ADMINISTRATIVE CITATIONS

AC 15-35	<p><u>County of Perry v. Gordon Cooper</u> – The Board granted complainant’s request to dismiss this administrative citation.</p>	5-0
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ADJUDICATORY CASES

<p>PCB 15-80</p>	<p><u>People of the State of Illinois v. SSW Development, L.L.C., a dissolved Illinois limited liability corporation, and John Kaup, an individual</u> (Water – Enforcement) – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this water enforcement action involving a Will County facility, the Board ordered publication of the required newspaper notice.</p>	<p>5-0</p>
<p>PCB 15-84</p>	<p><u>Allen McAfee v. IEPA</u> (Land – Permit Appeal) – The Board remanded the matter to the IEPA to issue a decision on the Stage 3 site investigation plan and budget that does not include a requirement for a Project Labor Agreement. The Board exercised its discretion under Section 57.8(l) of the Act (415 ILCS 5/57.8(l) (2012)) and directed the IEPA to reimburse petitioner \$10,315 in legal fees and costs from the UST Fund.</p>	<p>5-0</p>
<p>PCB 15-179</p>	<p><u>KM Corporation v. IEPA</u> (UST Appeal) – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal.</p>	<p>5-0</p>
<p>PCB 15-187</p>	<p><u>Hagenbuch Family Farms (Property ID No. 12-12-305-000) v. IEPA</u> (Water – Tax Certification) – The Board found and certified that specified facilities of Hagenbuch Family Farms located in LaSalle County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2012)).</p>	<p>5-0</p>
<p>PCB 15-188</p>	<p><u>Hagenbuch Family Farms (Property ID No. 07-35-103-000) v. IEPA</u> (Water – Tax Certification) – The Board found and certified that specified facilities of Hagenbuch Family Farms located in LaSalle County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2012)).</p>	<p>5-0</p>

PCB 15-193	<u>Smital Farm (Property ID No. 20-000-073-00) v. IEPA</u> (Water – Tax Certification) – The Board found and certified that specified facilities of Smital Farm located in LaSalle County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2012)).	5-0
PCB 15-194	<u>Clinton Landfill, Inc. v. IEPA</u> (Mod. 52) (Land – Permit Appeal) – The Board accepted for hearing this permit appeal on behalf of this DeWitt County facility.	5-0
PCB 15-195	<u>Clinton Landfill, Inc. v. IEPA</u> (Mod. 53) (Land – Permit Appeal) – The Board accepted for hearing this permit appeal on behalf of this DeWitt County facility.	5-0
PCB 15-196	<u>Yoder Oil Company v. IEPA</u> (UST 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 Tazewell County facility.	5-0
PCB 15-197	<u>GBL Properties, Inc. v. IEPA</u> (UST 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 St. Clair County facility.	5-0
PCB 15-198	<u>Dan Schwendman v. IEPA</u> (UST 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 St. Clair County facility.	5-0
PCB 15-199	<u>Paradigm Properties, Inc. v. IEPA</u> (UST 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 Union County facility.	5-0

OTHER ITEMS

	The Board granted the Chairman’s Motion to add a location to the already scheduled Board meeting at 11:00 am on July 9, 2015. This Board meeting will now be a Videoconference Meeting between the Board’s Chicago Office (Room 11-512) and the Board’s Springfield Office (Room 1244 N, First Floor).	5-0
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	The Board granted the Chairman’s Motion for Approval of Proposed Schedule of Regular Board Meetings for Calendar Year 2016. These Open Meetings Will Be Held at the Times and Locations listed below.	5-0
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**BOARD MEETINGS
SCHEDULED FOR CALENDAR YEAR 2016**

(unless otherwise noted, meetings begin at 11:00 am)

January 7 *	July 7
January 21	July 21
February 4 *	August 4
February 18	August 18
March 3 *	September 1
March 17	September 15
April 7	October 6
April 21	October 20
May 5	November 3
May 19	November 17
June 2	December 1 *
June 16	December 15

Unless otherwise noted below, Board meetings will be at the James R. Thompson Center, 100 W. Randolph Street, Chicago, IL

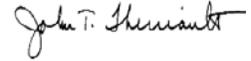
* These Board meetings will be via videoconference between Chicago, 100 W. Randolph Street, Videoconference Room 11-512, and Springfield, 1021 N. Grand Avenue East, Conference Room 1244 N, First Floor

** These Board meetings will be in the Board’s Springfield Office, 1021 N. Grand Avenue East, North Entrance, Conference Room 1244 N, First Floor

ADJOURNMENT

Moved and seconded, by a vote of 5-0, Chairman Glosser adjourned the meeting at 11:29 a.m.

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



John T. Therriault, Clerk
Illinois Pollution Control Board