

ILLINOIS POLLUTION CONTROL BOARD

MEETING MINUTES



November 19, 2015

- Regular Board Meeting: 11:00 a.m.
 - Brown Bag Lunch Seminar: 12:30 p.m.
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REGULAR BOARD MEETING MINUTES

November 19, 2015

11:00 a.m.

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 Keenan welcomed members of the public and staff.

ROLL CALL

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

PUBLIC REMARKS

None.

APPROVAL OF MINUTES

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

RULEMAKINGS

<p>R13-19</p>	<p><u>In the Matter of: Site-Specific Rule for the Closure of Ameren Energy Resources Ash Ponds: Proposed New 35 Ill. Adm. Code 840, Subpart B</u> (Land-Site-Specific) – The Board directed Illinois Power Resources and Medina Valley to file a status report by Monday, January 18, 2016.</p>	<p>5-0</p>
<p>R14-22</p>	<p><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-Site-Specific) – The Board adopted a final opinion and order in this site-specific rulemaking to amend the Board’s noise regulations.</p>	<p>5-0</p>
<p>R15-21</p>	<p><u>In the Matter of: Amendments to 35 Ill. Adm. Code Part 214, Sulfur Limitations, Part 217, Nitrogen Oxides Emissions, and Part 225, Control of Emissions from Large Combustion Sources (Air)</u> – The Board adopted a final opinion and order in this rulemaking to amend the Board’s air pollution regulations.</p>	<p>4-1 Glosser dissented</p>
<p>R16-17</p>	<p><u>Procedural Rules Amendments: Proposed Amendments to 35 Ill. Adm. Code 101 through 125</u> (Other) – Member Burke reported that the Board opened this rulemaking docket to amend the Board’s procedural rules. The proposed amendments will generally reflect greater use of digital technology to reduce paper consumption and travel. Member Burke indicated that a draft first-notice opinion and order is being prepared for consideration at a December meeting. The Board took no action on this matter.</p>	

ADJUSTED STANDARDS

ADMINISTRATIVE CITATIONS

<p>AC 15-26</p>	<p><u>IEPA v. Joseph DeRosa & Gwen A. Griffitts and DeRosa Autobody</u> – The Board entered an interim opinion and order finding respondent violated Sections 21(p)(1) and 55(k)(1) of the Act (415 ILCS 5/21(p)(1), 55(k)(1) (2014)) and assessing a penalty of \$3,000. The Board ordered the Clerk of the Board and the Illinois Environmental Protection Agency to file by December 21, 2015, statements of hearing costs, supported by affidavits, with service on respondents. Respondents may respond to the cost statements within 21 days of service of those statements.</p>	<p>5-0</p>
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ADJUDICATORY CASES

<p>PCB 06-68</p>	<p><u>Illinois Power Resources Generating, LLC (as successor to AmerenEnergy Resources Generating Company), Newton Power Station v. IEPA</u> (Air-Permit Appeal, CAAPP) – The Board granted the parties’ joint motion to lift stay of uncontested conditions and remand to the Agency. The Board retained jurisdiction over the appeal.</p>	<p>5-0</p>
<p>PCB 10-37</p>	<p><u>Niebrugge Oil Company v. IEPA (10/22/09 determination)</u> (UST Appeal) – The Board granted petitioner’s motion for voluntary dismissal of this underground storage tank appeal.</p>	<p>5-0</p>
<p>PCB 10-40</p>	<p><u>Niebrugge Oil Company v. IEPA (10/23/09 determination)</u> (UST Appeal) – The Board granted petitioner’s motion for voluntary dismissal of this underground storage tank appeal.</p>	<p>5-0</p>
<p>PCB 11-24</p>	<p><u>People of the State of Illinois v. U. S. Chrome Corporation of Illinois, Inc.</u> (Air – Enforcement) – In this air 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 \$45,000 civil penalty and to cease and desist from further violations.</p>	<p>5-0</p>
<p>PCB 15-60 PCB 15-76 PCB 15-111 PCB 15-113 PCB 15-166 PCB 15-194 PCB 15-195 PCB 15-207 PCB 16-34 PCB 16-59 (cons.)</p>	<p><u>Clinton Landfill, Inc. v. IEPA</u> <u>Clinton Landfill, Inc. v. IEPA</u> (Land - Permit Appeal) – The Board granted petitioner’s unopposed motion to dismiss these consolidated permit appeals.</p>	<p>5-0</p>

<p>PCB 16-54</p> <p>PCB 16-56</p>	<p><u>Will County, Illinois v. Village of Rockdale, Board of Trustees of Village of Rockdale and Environmental Recycling and Disposal Services, Inc.</u></p> <p><u>Waste Management of Illinois, Inc. v. Village of Rockdale, Illinois Board of Trustees and Environmental Recycling and Disposal Services, Inc.</u></p> <p>(Siting Appeal) – The Board granted respondent Environmental Recycling and Disposal Services, Inc.’s motion to consolidate these pollution control facility siting appeals.</p>	<p>5-0</p>
<p>PCB 16-60</p>	<p><u>Illinois Power Generating Company (Newton Power Station) v. IEPA</u></p> <p>(Water- Permit Appeal, NPDES) – The Board accepted for hearing this permit appeal on behalf of this Jasper County facility. The Board reserved ruling on petitioner’s motion for stay of the contested permit conditions, to allow the time for IEPA to file a response to run.</p>	<p>5-0</p>
<p>PCB 16-61</p>	<p><u>People of the State of Illinois v. Amsted Rail Company, Inc.</u></p> <p>(Air-Enforcement, CAAPP) – The Board accepted for hearing this air enforcement action concerning a facility located in Madison County.</p>	<p>5-0</p>

OTHER ITEMS

ADJOURNMENT

Moved and seconded, by a vote of 5-0, Chairman Keenan adjourned the regular meeting at 11:18 a.m.

BROWN BAG LUNCH SEMINAR MINUTES

November 19, 2015

12:30 p.m.

Videoconference

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

AND

1021 N. Grand Avenue East
Springfield, IL
Conference Rm 1244 N, 1st Floor

ROLL CALL

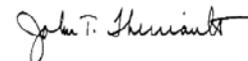
The Clerk of the Board called the roll. Four Board Members answered present.

<p><u>EnergyEnvironment Elision</u> – Chairman Keenan provided a PowerPoint presentation to discuss the impact on environmental policy and regulation of technological and economic developments in the energy marketplace. First, Chairman Keenan gave background information on the roots and emergence of the environmental movement in the 1960s and the nature of energy production and generation at that time. He then highlighted the clash between the dominant “command and control” environmental regulatory regime and accelerating disruption of the energy markets in the ensuing 40 years. He explained that these dramatic changes are associated with a number of factors, from increased natural gas and oil production and continuing declines in energy prices to the rise of renewable energy generation, energy storage, and demand reduction efforts. Chairman Keenan concluded with a discussion of the regulatory challenges and opportunities that these developments present. A copy of Chairman Keenan’s PowerPoint presentation is available upon request. The Board took no action on this matter.</p>	
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ADJOURNMENT

Moved and seconded, by a vote of 3-0, Chairman Keenan adjourned the brown bag lunch seminar at 1:30 p.m.

I, John T. Therriault, Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on December 17, 2015, by a vote of 5-0.



John T. Therriault, Clerk
Illinois Pollution Control Board