

# ILLINOIS POLLUTION CONTROL BOARD

## MEETING MINUTES

---



### April 21, 2016

- Regular Board Meeting: 11:00 a.m.
  - Brown Bag Seminar 12:00 p.m.
- 

## REGULAR BOARD MEETING MINUTES

April 21, 2016

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 April 7, 2016 Regular Meeting and of the April 14, 2016 Closed Deliberative Session Under 5 ILCS 120/2 (c)(4) were approved by a vote of 5-0.

## RULEMAKINGS

<b>R13-19</b>	<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 updating the Board on the progress of this site-specific rulemaking by Monday, June 20, 2016.</p>	5-0
<b>R16-16</b>	<p><u>UST Update, USEPA Amendments (July 1, 2015, through December 31, 2015)</u>  (Land) – The Board adopted a proposal for public comment in this “identical-in-substance” rulemaking to amend the Board’s underground storage tank corrective action regulations.</p>	5-0
<b>R16-17</b>	<p><u>Procedural Rule Amendments: Proposed Amendments to 35 Ill. Adm. Code 101 through 125</u>  (Procedural) – The Board adopted a second notice opinion and order in this rulemaking to amend the Board’s procedural rules.</p>	5-0

## ADJUSTED STANDARD

---

## ADMINISTRATIVE CITATIONS

---

### ADJUDICATORY CASES

<b>PCB 06-68</b>	<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 petitioner’s motion for voluntary dismissal of this permit appeal.</p>	5-0
<b>PCB 09-60</b>	<p><u>People of the State of Illinois v. Crop Production Services</u>  (Water - Enforcement) – Upon receipt of a stipulation and proposed settlement agreement and agreed motion to request relief from the hearing requirement, in this water enforcement action at three agrichemical and fertilizer retail facilities –one in Sinclair, Morgan County; another in White Hall, Greene County; and a third southwest of Galesburg and east of Highway 41 in Knox County– the Board ordered publication of the required newspaper notice.</p>	5-0

<p><b>PCB 16-54</b></p> <p><b>PCB 16-56</b> (cons.)</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>  <u>Waste Management of Illinois, Inc. v. Village of Rockdale, Illinois Board of Trustees and Environmental Recycling and Disposal Services, Inc.</u>  (Pollution Control Facility Siting Appeal) – The Board found that the Village of Rockdale had jurisdiction to hear the application of Environmental Recycling and Disposal Services for siting approval of its proposed transfer station, and affirmed the Village’s September 3, 2015 decision approving siting of the proposed transfer station with conditions.</p>	<p>5-0</p>
<p><b>PCB 16-73</b></p>	<p><u>Avis Budget Car Rental, LLC v. IEPA</u>  (UST Appeal, 90-Day Extension) – 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.</p>	<p>5-0</p>
<p><b>PCB 16-94</b></p>	<p><u>People of the State of Illinois v. The Arnold Engineering Co.</u>  (Water – Enforcement) – In this water enforcement action concerning a McHenry 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) (2014)), accepted a stipulation and settlement agreement, and ordered respondent to pay a \$20,000 civil penalty and to cease and desist from further violations.</p>	<p>5-0</p>
<p><b>PCB 16-100</b></p>	<p><u>Blake Leasing Company, LLC - Real Estate Series, as owner of Kirkland Quick Stop v. Illinois Environmental Protection Agency and Village of Kirkland</u>  (Water Well Setback) – The Board accepted for hearing this petition for an exception from the water well setback requirement involving a site in DeKalb County.</p>	<p>5-0</p>
<p><b>PCB 16-102</b></p>	<p><u>Friends of the Environment, NFP v. IEPA</u>  (UST Appeal) – The Board accepted for hearing this underground storage tank appeal involving a site in Cook County.</p>	<p>5-0</p>
<p><b>PCB 16-103</b></p>	<p><u>Knapp Oil Company v. IEPA</u>  (UST Appeal) – The Board accepted for hearing this underground storage tank appeal involving a site in Massac County.</p>	<p>5-0</p>

**OTHER ITEMS**

	The Board granted the Chairman’s motion to reschedule regular meetings scheduled at 11:00 am on September 1, and 15, 2016. These meetings will now be held at 11:00 am on September 8 and 22, 2016 as videoconference meetings between the Board’s Chicago Office (Room 11-512) and the Board’s Springfield Office (Room 1244 N, First Floor).	5-0
--	--	-----

---

**ADJOURNMENT**

---

Moved and seconded, by a vote of 5-0, Chairman Keenan adjourned the regular meeting.

# BROWN BAG LUNCH SEMINAR MINUTES

April 21, 2016

12:00 p.m.

## Videoconference

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

AND

1021 N. Grand Avenue East  
Springfield, IL  
Conference Rm 1244 N, 1<sup>st</sup> Floor

## **ROLL CALL**

---

Member Zalewski called the roll. Four Board Members answered present.

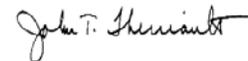
<p>Ethics Training and Legislative Update – Mr. Fox provided a PowerPoint presentation to give attendees a basic understanding of Illinois legislative procedures, calendar, rules, and on-line resources. He then discussed the status of bills that could affect the Board: House Bills 5369, 5718, and 5946, and Senate Bills 577, 2920, and 2950. Mr. Fox next turned to an overview of requirements of the State Officials and Employees Ethics Act (5 ILCS 430), focusing on its provisions addressing ethics training, prohibited political activities, and the gift ban, as well as additional gift restrictions under Executive Order 15-09. The Board took no action on this matter.</p>	<p>Tim Fox, Attorney Assistant to Member O’Leary</p>
--	--

## **ADJOURNMENT**

---

Moved and seconded, by a vote of 4-0, Member Zalewski adjourned the brown bag lunch seminar.

I, John T. Therriault, Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on May 19, 2016, by a vote of 5-0.



John T. Therriault, Clerk  
Illinois Pollution Control Board