

ILLINOIS POLLUTION CONTROL BOARD

MEETING MINUTES



June 16, 2016

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

June 16, 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 June 2, 2016 Regular Meeting were approved by a vote of 5-0.

RULEMAKINGS

<p>R16-7</p>	<p><u>RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (January 1, 2015 through June 30, 2015)</u> (Land) – The Board adopted a final opinion and order in this “identical-in-substance” rulemaking to amend the Board’s hazardous waste regulations.</p>	<p>5-0</p>
<p>R16-16</p>	<p><u>UST Update, USEPA Amendments (July 1, 2015, through December 31, 2015)</u> (Land) – Member Burke reported that the public comment period on the Board’s April 21, 2016 proposal in this “identical in substance” rulemaking will expire June 20, 2016, and a draft adoption opinion and order is expected to be circulated for the July 7, 2016 Board meeting. The Board took no action on this matter.</p>	
<p>R17-1</p>	<p><u>National Ambient Air Quality Standards, USEPA Amendments (January 1, 2016 through June 30, 2016)</u> (Air) – The Board reserved this docket for a routine update to make the Board rules “identical in substance” to United States Environmental Protection Agency rules adopted during the update period.</p>	
<p>R17-2</p>	<p><u>Definition of VOM Update, USEPA amendments (January 1, 2016 through June 30, 2016)</u> (Air) – The Board reserved this docket for a routine update to make the Board rules “identical in substance” to United States Environmental Protection Agency rules adopted during the update period.</p>	
<p>R17-3</p>	<p><u>SDWA Update, USEPA amendments (January 1, 2016 through June 30, 2016)</u> (Water) – The Board reserved this docket for a routine update to make the Board rules “identical in substance” to United States Environmental Protection Agency rules adopted during the update period.</p>	
<p>R17-4</p>	<p><u>UIC Update, USEPA amendments (January 1, 2016 through June 30, 2016)</u> (Land) – The Board reserved this docket for a routine update to make the Board rules “identical in substance” to United States Environmental Protection Agency rules adopted during the update period.</p>	

R17-5	<u>RCRA Subtitle D (Municipal Solid Waste Landfill) Update, USEPA amendments (January 1, 2016 through June 30, 2016)</u> (Land) – The Board reserved this docket for a routine update to make the Board rules “identical in substance” to United States Environmental Protection Agency rules adopted during the update period.	
R17-6	<u>RCRA Subtitle C (Hazardous Waste) Update, USEPA amendments (January 1, 2016 through June 30, 2016)</u> (Land) – The Board reserved this docket for a routine update to make the Board rules “identical in substance” to United States Environmental Protection Agency rules adopted during the update period.	
R17-7	<u>UST Update, USEPA amendments (January 1, 2016 through June 30, 2016)</u> The Board reserved this docket for a routine update to make the Board rules “identical in substance” to United States Environmental Protection Agency rules adopted during the update period. (Land) –	
R17-8	<u>Wastewater Pretreatment Update, USEPA amendments (January 1, 2016 through June 30, 2016)</u> (Water) – The Board reserved this docket for a routine update to make the Board rules “identical in substance” to United States Environmental Protection Agency rules adopted during the update period.	

ADJUSTED STANDARD

ADMINISTRATIVE CITATIONS

AC 15-36	<u>IEPA v. John E. Laverdiere and Laverdiere Construction, Inc.</u> – In response to a joint stipulation and proposed settlement agreement in this administrative citation action involving a McDonough County facility, the Board found that respondents had violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (2014)) and ordered respondents 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 Section 21(p)(4) and (7) of the Act (415 ILCS 5/21(p)(4) and (7) (2014)).	5-0
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ADJUDICATORY CASES

<p>PCB 06-146</p>	<p><u>Midwest Generation, LLC, Waukegan Generating Station v. IEPA</u> (Air – Permit Appeal, CAAPP) – The Board granted the parties’ joint motion to lift the stay of the uncontested conditions and remanded the permit to the Illinois Environmental Protection Agency.</p>	<p style="text-align: right;">5-0</p>
<p>PCB 15-189</p>	<p><u>Sierra Club, Natural Resources Defense Council, Prairie Rivers Network, and Environmental Law & Policy Center v. Illinois EPA and Midwest Generation, LLC</u> (Water – Permit Appeal, NPDES) – Construing petitioners’ motion for clarification as a motion to reconsider the Board’s April 7, 2016 order, the Board denied petitioners’ motion.</p>	<p style="text-align: right;">5-0</p>
<p>PCB 16-106</p>	<p><u>Exelon Generation, LLC (Byron, Clinton, Dresden, and LaSalle stations) v. IEPA</u> (Air-Variance) – The Board directed petitioner to file by July 19, 2016 a brief supporting its position that complying with Nuclear Regulatory Commission regulations constitutes an arbitrary or unreasonable hardship. The Board also directed petitioner to file by the same date responses to questions set out in the Board’s order. The Board directed respondent to file any reply to petitioner’s brief by August 2, 2016.</p>	<p style="text-align: right;">5-0</p>
<p>PCB 16-107</p>	<p><u>People of the State of Illinois v. Jones Hydroblast, Inc.</u> (Land – Enforcement, RCRA) – 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 land enforcement action involving a Franklin County facility, the Board ordered publication of the required newspaper notice.</p>	<p style="text-align: right;">5-0</p>
<p>PCB 16-108</p>	<p><u>Abel Investments, LLC v IEPA</u> (UST Appeal) – The Board accepted for hearing this underground storage tank appeal involving a site in Jackson County.</p>	<p style="text-align: right;">5-0</p>
<p>PCB 16-109</p>	<p><u>People of the State of Illinois v. Village of Lakemoor</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 municipal separate storm sewer system that discharges into several lakes and tributaries in Lake and McHenry Counties, the Board ordered publication of the required newspaper notice.</p>	<p style="text-align: right;">5-0</p>

PCB 16-110	<u>People of the State of Illinois v. Casey's Retail Company</u> (Water – Enforcement) – The Board accepted for hearing this water enforcement action involving a site in LaSalle County.	5-0
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OTHER ITEMS

	The Board granted the Chairman’s Motion to reschedule regular meetings scheduled at 11:00 am on August 4, and 18, 2016. These meetings will now be held at 11:00 am on August 11, and 25, 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
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ADJOURNMENT

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

BROWN BAG LUNCH SEMINAR MINUTES

June 16, 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, 1st Floor

ROLL CALL

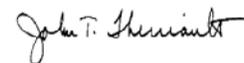
Chairman Keenan called the roll. All five Board Members answered present.

<p>Legislative Update – Ms. Walling presented information on the substance and legislative procedure of the following bills filed in the 99th General Assembly: HB 5933, HB 85898, SB 3130, and HB 6027 (local food-related issues); HJR 141, HB 6182 (conservation); HB 5530 (food donation); SB 2920 (Environmental Justice Commission); HB 5830(food donation); SB 550 (lead in drinking water); and SB 577 (water variances). Turning to the Clean Power Plan, Ms. Walling offered the Illinois Environmental Council’s perspective on the plan’s implementation in Illinois and outlined the key elements of the Council’s Clean Jobs Bill (HB 2607/SB 1485). Ms. Walling also discussed the impact of the State budget impasse on energy and environmental programs and issues such as energy efficiency assistance and wildlife protection. A copy of Ms. Walling’s presentation is available upon request. The Board took no action on this matter.</p>	<p>Jen Walling, Illinois Environmental Council</p>
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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 July 7, 2016, by a vote of 5-0.



John T. Therriault, Clerk
Illinois Pollution Control Board