

# ILLINOIS POLLUTION CONTROL BOARD

## MEETING MINUTES

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**February 6, 2014**

**11:00 a.m.**

### **Videoconference**

#### **Chicago**

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

**And**

#### **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 four Board Members answered present.

### **APPROVAL OF MINUTES**

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The minutes of the January 23, 2014 open meeting were approved by a vote of 4-0. The minutes of the January 30, 2014 Closed Deliberative Session Under 5 ILCS 120/2(c)(4) were approved by a vote of 4-0.

### **PUBLIC REMARKS**

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None

## RULEMAKINGS

<b>R08-9(C)</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> – The Board adopted a final opinion and order in this rulemaking to amend the Board’s water pollution control regulations.	4-0 Water
<b>R14-1</b>  <b>R14-2</b>  <b>R14-3 (cons.)</b>	<u>UIC Update, USEPA Amendments (January 1, 2013 through June 30, 2013)</u> <u>RCRA Subtitle D (Municipal Solid Waste Landfill) USEPA Amendments (January 1, 2013 through June 30, 2013)</u> <u>RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (January 1, 2013 through June 30, 2013)</u> – The Board adopted a final opinion and order in this consolidated “identical-in-substance” rulemaking to amend the Board’s underground injection control, hazardous waste and municipal solid waste landfill regulations.	4-0 Land
<b>R14-11</b>	<u>UIC Update, USEPA Amendments (July 1, 2013 through December 31, 2013)</u> – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its underground injection control regulations during the update period of July 1, 2013 through December 31, 2013.	4-0 Land
<b>R14-12</b>	<u>RCRA Subtitle D (Municipal Solid Waste Landfill) USEPA Amendments (July 1, 2013 through December 31, 2013)</u> – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its municipal solid waste landfill regulations during the update period of July 1, 2013 through December 31, 2013.	4-0 Land
<b>R14-13</b>	<u>RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (July 1, 2013 through December 31, 2013)</u> – The Board adopted a proposal for public comment in this “identical-in-substance” rulemaking to amend the Board’s hazardous waste regulations.	4-0 Land

<b>R14-14</b>	<u>UST Update, USEPA Amendments (July 1, 2013 through December 31, 2013)</u> – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its underground storage tank regulations during the update period of July 1, 2013 through December 31, 2013.	4-0 Land
<b>R14-15</b>	<u>Wastewater Pretreatment Update, USEPA Amendments (July 1, 2013 through December 31, 2013)</u> – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its wastewater pretreatment regulations during the update period of July 1, 2013 through December 31, 2013.	4-0 Water
<b>R14-18</b>	<u>SDWA Update, USEPA Amendments (July 1, 2013 through December 31, 2013)</u> – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its drinking water regulations during the update period of July 1, 2013 through December 31, 2013.	4-0 Water

#### **ADJUSTED STANDARDS**

None

#### **ADMINISTRATIVE CITATIONS**

<b>AC 13-21</b>	<u>IEPA v. Steven B. Meuser &amp; Deborah S. Meuser and Meuser Construction &amp; Excavation, Inc</u> – In response to a joint stipulation and settlement agreement in this administrative citation action involving a Ford County facility, the Board found that respondents had violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (2012)) and ordered respondents to pay a civil penalty of \$1,500. To effectuate the parties’ intent that respondents pay a total civil penalty of \$1,500, the Board dismissed the alleged violation of Section 21(p)(7) of the Act (415 ILCS 5/21(p)(7) (2012)) and respondents’ amended petition for review.	4-0
<b>AC 14-20</b>	<u>IEPA v. Frank Root</u> – No action taken.	
<b>AC 14-31</b>	<u>Illinois EPA v. Ponderosa Land Trust and Dennis R. Crites, Jr.</u> – The Board accepted an administrative citation against these Williamson County respondents.	
<b>AC 14-32</b>	<u>Illinois EPA v. Maria L. Tilley</u> – The Board accepted an administrative citation against this Perry County respondent.	

<b>AC 14-33</b>	<u>Illinois EPA v. County of Whiteside and Waste Management of Illinois, Inc.</u> – The Board accepted an administrative citation against these Whiteside County respondents.	
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### ADJUDICATORY CASES

<b>PCB 07-13</b>	<u>People of the State of Illinois v. Ray F. Landers, individually, and Equipping the Saints Ministry</u> – In this air enforcement action concerning a Sangamon 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 Ray F. Landers to pay a total civil penalty of \$1,500.00, and to cease and desist from further violations.	4-0 A-E
<b>PCB 09-107</b>	<u>People of the State of Illinois v. Tate and Lyle Ingredients Americas, Inc.</u> – No action taken.	A-E
<b>PCB 10-104</b>	<u>Waste Management of Illinois, Inc. v. DeKalb County Board</u> – The Board found that the contested condition was not necessary to accomplish the purposes of the Environmental Protection Act (415 ILCS 5 (2012)) and struck the condition from the local siting approval.	4-0 S-App
<b>PCB 11-42</b>	<u>People of the State of Illinois v. Joel A. Moske, d/b/a U. S. Scrap</u> – No action taken.	A,L-E
<b>PCB 12-94</b> (See also <b>PCB 14-4</b> )	<u>CITGO Petroleum Corporation and PDV Midwest Refining, L.L.C. v. IEPA</u> – No action taken.	W-V
<b>PCB 13-27</b>	<u>Sierra Club v. Midwest Generation, LLC</u> – No action taken.	A-E, Citizens
<b>PCB 14-4</b> (See also <b>PCB 12-94</b> )	<u>CITGO Petroleum Corporation and PDV Midwest Refining, L.L.C. v. IEPA</u> – No action taken.	W-V
<b>PCB 14-81</b>	<u>BNSF Railway Company v. Indian Creek Development Company and JB Industries, Inc.</u> – No action taken.	N-E, Citizens
<b>PCB 14-101</b>	<u>People of the State of Illinois v. Norwood Marking &amp; Equipment Co., Inc.</u> – The Board accepted for hearing this air enforcement action concerning a facility located in Will County.	4-0 A-E

<b>PCB 14-102</b>	<u>Metropolitan Water Reclamation District of Greater Chicago (Stickney Plant, NPDES Permit No. IL0028053) v. Illinois Environmental Protection Agency</u> – The Board granted this request for a 30-day extension of time to file a permit appeal on behalf of this Cook County facility.	4-0 W-PA, NPDES 90 Day Ext.
<b>PCB 14-103</b>	<u>Metropolitan Water Reclamation District of Greater Chicago (Calumet Plant, NPDES Permit No. IL0028061) v. Illinois Environmental Protection Agency</u> – The Board granted this request for a 30-day extension of time to file a permit appeal on behalf of this Cook County facility.	4-0 W-PA, NPDES 90 Day Ext.
<b>PCB 14-104</b>	<u>Metropolitan Water Reclamation District of Greater Chicago (O'Brien Plant, NPDES Permit No. IL0028088) v. Illinois Environmental Protection Agency</u> – The Board granted this request for a 30-day extension of time to file a permit appeal on behalf of this Cook County facility.	4-0 W-PA, NPDES 90 Day Ext.
<b>PCB 14-105</b>	<u>Borsdorf Farm, LLC v. IEPA</u> – No action taken.	T-C, W
<b>PCB 14-106</b>	<u>Prairie Rivers Network, Natural Resources Defense Council, Sierra Club, Environmental Law &amp; Policy Center, Friends of Chicago River, and Gulf Restoration Network v. Illinois Environmental Protection Agency and Metropolitan Water Reclamation District of Greater Chicago (O'Brien Plant, Permit No. 28088)</u> – The Board accepted for hearing this third party NPDES permit appeal involving a Cook County facility.	4-0 W-PA, NPDES, 3d P
<b>PCB 14-107</b>	<u>Prairie Rivers Network, Natural Resources Defense Council, Sierra Club, Environmental Law &amp; Policy Center, Friends of Chicago River, and Gulf Restoration Network v. Illinois Environmental Protection Agency and Metropolitan Water Reclamation District of Greater Chicago (Calumet Plant, Permit No. 28061)</u> – The Board accepted for hearing this third party NPDES permit appeal involving a Cook County facility.	4-0 W-PA, NPDES, 3d P
<b>PCB 14-108</b>	<u>Prairie Rivers Network, Natural Resources Defense Council, Sierra Club, Environmental Law &amp; Policy Center, Friends of Chicago River, and Gulf Restoration Network v. Illinois Environmental Protection Agency and Metropolitan Water Reclamation District of Greater Chicago (Stickney Plant, Permit No. 28053)</u> – The Board accepted for hearing this third party NPDES permit appeal involving a Cook County facility.	4-0 W-PA, NPDES, 3d P

**CASES PENDING DECISION**

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None

**OTHER ITEMS**

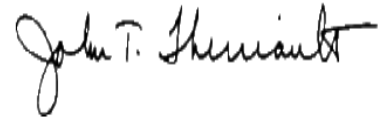
	Chairman's motion to cancel remainder of previously scheduled closed deliberative sessions under 5 ILCS 120/2(c)(4) for calendar year 2014 was withdrawn.	
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**ADJOURNMENT**

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Moved and seconded, by a vote of 4-0, Chairman Glosser adjourned the meeting at 11:15 a.m.

I, John T. Therriault, Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on February 20, 2014, by a vote of 4-0.



John T. Therriault, Clerk  
Illinois Pollution Control Board