

ILLINOIS POLLUTION CONTROL BOARD

MEETING MINUTES



March 19, 2015

11:00 a.m.

Chicago
100 W. Randolph Street
Chicago, IL
Room 9-040

ANNOUNCEMENTS

Chairman Glosser welcomed members of the public and staff. Chairman Glosser welcomed Member Keenan to the Board.

ROLL CALL

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

APPROVAL OF MINUTES

The minutes of the March 5, 2015 open meeting were approved by a vote of 4-0. Member Keenan voted present.

PUBLIC REMARKS

None

RULEMAKINGS

R08-9(D)	<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 adopted a second notice opinion and order in this rulemaking to amend the Board’s water pollution regulations.	4-0 Member Keenan voted present
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ADJUSTED STANDARDS

AS 13-2	<u>In the Matter of Petition of Emerald Performance Materials LLC for an Adjusted Standard from 35 Ill. Adm. Code 304.122(b) (Water)</u> – No action taken.	
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ADMINISTRATIVE CITATIONS

AC 15-20	<u>County of Jackson v. Christopher Will</u> – The Board denied respondent’s motion to reconsider the Board’s December 18, 2014 order.	4-0 Member Keenan voted present
AC 15-28	<u>IEPA v. Illinois Power Resources Generating, LLC and Robert Klahs</u> – The Board found that these Jefferson County respondents violated Sections 21(o)(7) and (o)(9) of the Environmental Protection Act (415 ILCS 5/21(o)(7) and (o)(9) (2012)), and ordered respondents to pay a civil penalty of \$1,000.	4-0 Member Keenan voted present

Adjudicatory Cases

PCB 14-2	<u>People of the State of Illinois v. Demolition Excavating Group, Inc., Rhonda Fisher, and Edward Fisher</u> (Land -Enforcement) – The Board granted the complainant’s motion for summary judgment and found that respondents violated Sections 21(a), 21(e), 21(p)(1), 21(p)(4), and 21(p)(7) of the Act (415 ILCS 5/21(a), (e), (p)(1), (p)(4), (p)(7) (2012)). The Board ordered respondents to pay a total civil penalty of \$75,000, and to cease and desist from further violations.	4-0 Member Keenan voted present
PCB 14-129	<u>Southern Illinois Power, Cooperative v. IEPA</u> (Land-Thermal Demonstration) – The Board issued an opinion and order which corrected its November 20, 2014 opinion and order.	4-0 Member Keenan voted present
PCB 14-131	<u>Piasa Motor Fuels, Inc. v. IEPA</u> (UST-Permit Appeal) – The Board exercised its discretion under Section 57.8(l) of the Environmental Protection Act and directed the Illinois Environmental Protection Agency to reimburse petitioner 43.75 percent of its requested legal fees and costs, or \$11,049.40, from the Underground Storage Tank Fund.	4-0 Member Keenan voted present

PCB 15-101	<u>Bloom Fuel, Inc. v. IEPA</u> (UST-Permit Appeal, 90-Day Ext.) – 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 Christian County facility.	4-0 Member Keenan voted present
PCB 15-106	<u>People of the State of Illinois v. Clean Harbors Environmental Services, Inc.</u> (Land -Enforcement) – In this land enforcement action concerning a Madison 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) (2010)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$20,000.00, and to cease and desist from further violations.	3-0 Member Zalewski abstained; Member Keenan voted present
PCB 15-135	<u>People of State of Illinois v. Village of Chesterfield</u> (Public Water Supply-Enforcement) – In this public water supply enforcement action concerning a Macoupin 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) (2010)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$2,000.00, and to cease and desist from further violations.	4-0 Member Keenan voted present
PCB 15-157	<u>Gary L. Polchow v. Village of Rankin</u> (Air, Water-Enforcement, Citizens) –The Board found that with minor exceptions, the complaint was not duplicative or frivolous. The Board allowed the Village to file an answer to the complaint by May 22, 2015.	4-0 Member Keenan voted present
PCB 15-165	<u>People of the State of Illinois v. Tank's Auto Body, L.L.C</u> (Air -Enforcement) – Upon receipt of a stipulation and proposed settlement agreement and agreed motion to request relief from the hearing requirement in this land enforcement action involving a Henry County facility, the Board ordered publication of the required newspaper notice.	4-0 Member Keenan voted present
PCB 15-166	<u>Clinton Landfill, Inc. v. IEPA</u> (Land-Permit Appeal) – The Board accepted for hearing this permit appeal on behalf of this DeWitt County facility.	4-0 Member Keenan voted present
PCB 15-167	<u>Kenneth Clardy v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Hardin County facility.	4-0 Member Keenan voted present

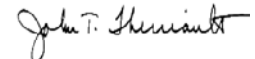
PCB 15-168	<u>Mike Prough v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Jersey County facility.	4-0 Member Keenan voted present
PCB 15-169	<u>Norm Creveling v. IEPA</u> (UST-Permit Appeal, 90-Day Ext.) – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Iroquois County facility.	4-0 Member Keenan voted present

OTHER ITEMS

ADJOURNMENT

Moved and seconded, by a vote of 5-0, Chairman Glosser adjourned the meeting at 11:19 a.m.

I, John T. Therriault, Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on April 2, 2015, by a vote of 5-0.



John T. Therriault, Clerk
Illinois Pollution Control Board