ILLINOIS POLLUTION CONTROL BOARD MEETING MINUTES



August 20, 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.

ROLL CALL

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

APPROVAL OF MINUTES

The minutes of the August 6, 2015 open meeting were approved by a vote of 5-0.

PUBLIC REMARKS

None

RULEMAKINGS

R08-9(D)	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 (Water) – The Board granted the Illinois Environmental Protection Agency's (Agency's) motion for clarification. Because the Board specified the effective date of the rules adopted in this docket is July 1, 2015, the Board found the Agency's request for stay moot.	5-0
R14-10	In the Matter of: Coal Combustion Waste (CCW) Ash Ponds and Surface Impoundments at Power Generating Facilities: Proposed New 35 Ill. Adm. Code 841 (Water) – No action taken.	
R15-13	Wastewater Pretreatment Update (July 1, 2014 through December 31, 2014)(Water) – The Board adopted a final opinion and order in this "identical-in-substance" rulemaking to amend the Board's wastewater pretreatment regulations.	5-0
R15-19	In the Matter of: Management of Used and Waste Tires: <u>Proposed Amendments to 35 Ill. Adm. Code 848</u> (Land, Tires) – No action taken.	
R16-4	SDWA Update, USEPA Amendments (January 1, 2015 through June 30, 2015) (Water) – The Board adopted a proposal for public comment in this "identical-in-substance" rulemaking to amend the Board's drinking water regulations.	5-0

ADJUSTED STANDARDS

ADMINISTRATIVE CITATIONS

ADJUDICATORY CASES

PCB 10-86	People of the State of Illinois v. Illinois Fuel Company, LLC (Water – Enforcement, NPDES) – No action taken.	
PCB 15-18	<u>Granite City School District No. 9 v. IEPA</u> (UST Appeal) – The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal.	5-0

PCB 15-20	Golightly & Long, LLC (Marion) v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-21	Biggs Brothers Service Co. v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-22	Golightly & Long, LLC (Murphysboro) v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-23	Paradigm Properties, Inc. (St. Francisville) v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-24	Amer Samawi v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-25	V. W. Bowman Oil Co. v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-26	James Carter v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-27	Lake Bluff Petroleum, Inc. v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-28	Arlyn Fisk v. IEPA	5-0
PCB 15-28	(UST Appeal) – The Board granted petitioner's motion for	5-0
	voluntary dismissal of this underground storage tank appeal.	
	voluntary distinssar of this underground storage tank appear.	
PCB 15-29	GBL Properties, Inc. (3617 State Street) v. IEPA	5-0
1 CD 13-27	(UST Appeal) – The Board granted petitioner's motion for	50
	voluntary dismissal of this underground storage tank appeal.	
	i orantary distinssur of this underground storage unit appear.	
PCB 15-30	Allen McAFee v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	

PCB 15-31	F.A. Stein Oil Co. (Belleville) v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-32	Homegrown Properties, Inc. v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-33	<u>GBL Properties, Inc. (923 South 15th Street) v. IEPA</u>	5-0
I CD 13-33	(UST Appeal) – The Board granted petitioner's motion for	50
	voluntary dismissal of this underground storage tank appeal.	
	voluntary distinistar of this underground storage tank appear.	
PCB 15-34	Ron Steele v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-35	Piasa Commercial Interiors, Inc. v. IEPA	5-0
FCD 15-55	(UST Appeal) – The Board granted petitioner's motion for	5-0
	voluntary dismissal of this underground storage tank appeal.	
	voluntary distinssar of this underground storage tank appear.	
PCB 15-36	GBL Properties, Inc. (2600 Missouri Avenue) v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-37	Estate of Lloyd Wiemann v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-38	Yoder Oil Company v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-39	Barnhill's Service Station v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-40	Ronald Boyer v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	5-0
	voluntary dismissal of this underground storage tank appeal.	
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PCB 15-41	Randolph Hudson v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	

PCB 15-42	NuDeal Oil Company v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-43	Paradigm Properties, Inc. (Kankakee) v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-45	Danny Schwendeman v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-46	F. A. Stein Oil Company (East St. Louis) v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-47	GBL Properties, Inc. (South 17th Street) v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-48	Granite City School District No. 9 (Neidringhaus School) v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-49	Kings 66 Service Station v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-50	Latco, LLC v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-51	Mercer County Highway Department v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-52	Robbe Brashear v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-53	Robert Smith v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	

PCB 15-54	Knapp Oil Company v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-75	Steve Shank v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-79	Brandon Glasa v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-82	GBL Properties, Inc. (1801 Old Missouri Avenue) v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-83	Goben Oil Company v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-90	Amer Samawi v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-92	Maria Bates v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-94	Stock's Underhood Specialists, Inc. v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-97	Thomas Renner, Jr. v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-98	Kenneth Clardy v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-99	Mary Jane Bennett v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	

PCB 15-100	P & M Service Center v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-102	Green Oil Company v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-103	Homewgrown Properties, Inc. v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-115	Knapp Oil Company v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-117	GBL Properties, Inc. v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	5.0
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-118	Mercer County Highway Department v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-121	Estate of Coy Joe Thomas v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	5.0
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-122	Willie McIntosh v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-124	GBL Properties, Inc. (936 East Broadway) v. IEPA	5-0
1 CD 13-124	(UST Appeal) – The Board granted petitioner's motion for	5.0
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-125	Bland Construction Co. v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-126	<u>GBL Properties, Inc. (South 17th Street) v. IEPA</u>	5-0
1 00 13-120	(UST Appeal) – The Board granted petitioner's motion for	5-0
	voluntary dismissal of this underground storage tank appeal.	

PCB 15-127	Granite City School District No. 9 v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-128	Knapp Oil Company v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-129	GBL Properties, Inc. (3000 State Street) v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-132	Paradigm Properties, Inc. (Kankakee) v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-140	Charlesetta Owens v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-141	Wessel's Enterprises, Inc. v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-142	NuDeal Oil Company v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-143	Baker Brothers II, Inc. v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-144	Donald Koch v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-145	King's 66 Service Station v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-146	PAK-AGS, Inc. v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	

PCB 15-147	<u>GBL Properties, Inc. (1801 Old Missouri Avenue) v. IEPA</u> (UST Appeal) – The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal.	5-0
PCB 15-148	<u>Clinton County Oil Co. v. IEPA</u> (UST Appeal) – The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal.	5-0
PCB 15-149	<u>Wayne Edwards, Jr. v. IEPA</u> (UST Appeal) – The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal.	5-0
PCB 15-150	Leon Rothe v. IEPA (UST Appeal) – The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal.	5-0
PCB 15-151	<u>Tom Klukaczynski v. IEPA</u> (UST Appeal) – The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal.	5-0
PCB 15-152	<u>Quick Oil Company v. IEPA</u> (UST Appeal) – The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal.	5-0
PCB 15-158	Lannis Walters v. IEPA (UST Appeal) – The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal.	5-0
PCB 15-159	<u>GBL Properties, Inc. (2501 Lynch Avenue) v. IEPA</u> (UST Appeal) – The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal.	5-0
PCB 15-160	<u>Puckett Oil Company v. IEPA</u> (UST Appeal) – The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal.	5-0
PCB 15-164	<u>Stock's Underhood Specialists, Inc. v. IEPA</u> (UST Appeal) – The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal.	5-0
PCB 15-167	<u>Kenneth Clardy v. IEPA</u> (UST Appeal) – The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal.	5-0

PCB 15-168	Mike Prough v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-170	Homegrown Properties, Inc. (Golconda) v. IEPA	5-0
1 CD 13-170	(UST Appeal) – The Board granted petitioner's motion for	5-0
	voluntary dismissal of this underground storage tank appeal.	
	voluntary distinssar of this underground storage tank appear.	
PCB 15-171	Knapp Oil Company v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	5.0
	voluntary dismissal of this underground storage tank appeal.	
	voluntary dismissar of this underground storage tank appear.	
PCB 15-175	Estate of Coy Joe Thomas v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
	voluntary distinistar of this underground storage tank appear.	
PCB 15-176	Ahmad Zahdan v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-177	GBL Properties, Inc. (3000 State Street) v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
	voluntary distinistar of this underground storage tank appear.	
PCB 15-178	Kathy Bellemey v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
	voluntary alonnoour of this underground storage tank appears	
PCB 15-180	Steve Shank v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-181	Golightly & Long, LLC (Murphysboro) v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-182	William Senter v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	
PCB 15-183	Mary Jane Bennett v. IEPA	5-0
	(UST Appeal) – The Board granted petitioner's motion for	
	voluntary dismissal of this underground storage tank appeal.	

PCB 15-190	Paradigm Properties, Inc. (St. Francisville) v. IEPA (UST Appeal) – The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal.	5-0
PCB 15-191	Barnhill's Service Station v. IEPA (UST Appeal) – The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal.	5-0
PCB 15-196	Yoder Oil Company v. IEPA (UST Appeal) – The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal.	5-0
PCB 15-197	<u>GBL Properties, Inc. v. IEPA</u> (UST Appeal) – The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal.	5-0
PCB 15-198	Dan Schwendman v. IEPA (UST Appeal) – The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal.	5-0
PCB 15-199	Paradigm Properties, Inc. v. IEPA (UST Appeal) – The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal.	5-0
PCB 15-212	People of the State of Illinois v. Riverton Cabinet Company (Air – Enforcement, CAAPP) – In this air enforcement action concerning a Will 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 \$15,000 civil penalty and to cease and desist from further violations.	5-0
PCB 15-213	People of the State of Illinois v. White Oak Resources, LLC (Land – Enforcement, UIC) – In this air enforcement action concerning a Hamilton 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 \$40,000 civil penalty and to cease and desist from further violations.	5-0

PCB 15-217	People of the State of Illinois v. Walsh Construction Company, <u>Terrell Materials Corporation, and Walsh/Terrell Joint Venture</u> (Air – Enforcement) – In this air enforcement action concerning a Cook 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 \$12,000 civil penalty and to cease and desist from further violations.	5-0
PCB 16-33	<u>City of Oak Forest, Oak Forest, IL v. IEPA</u> (Water – Variance, NPDES) – No action taken.	
PCB 16-34	<u>Clinton Landfill v. IEPA</u> (Land – Permit Appeal) – The Board granted the parties' joint motions to consolidate previously consolidated permit appeals PCB 15-60, <i>et al.</i> with PCB 16-34, and designated the record filed in PCB 15-60, <i>et al.</i> as the record in PCB 16-34.	5-0

OTHER ITEMS

The Board granted the Chairman's Motion to add a location to the already scheduled Board meeting at 11:00 am on September 17, 2015. This meeting will now be a Videoconference Meeting between the Board's Chicago Office (Room 11-512) and the Board's Springfield Office (Room 1244 N, First Floor).	5-0
The Board granted the Chairman's Motion to add a location to the already scheduled Board meeting at 11:00 am on November 19, 2015. This meeting will now be a Videoconference Meeting 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 Glosser adjourned the meeting at 11:15 a.m.

I, Don A. Brown, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on September 3, 2015, by a vote of 5-0.

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Don A. Brown, Assistant Clerk Illinois Pollution Control Board