

ILLINOIS POLLUTION CONTROL BOARD

MEETING MINUTES



January 22, 2009

CHICAGO OFFICE
100 W. Randolph Street
Chicago, IL

Room 2-025

11:00 a.m.

ANNOUNCEMENTS

Chairman Girard welcomed members of the public and staff.

ROLL CALL

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

APPROVAL OF MINUTES

The minutes of the January 8, 2008 open meeting and January 15, 2009 closed deliberative session were approved by a vote of 5-0.

RULEMAKINGS

R09-10	<u>In the Matter of: Amendments to 35 Ill. Adm. Code 225: Control of Emissions From Large Combustion Sources (Mercury Monitoring)– No action taken.</u>	Air
R09-11	<u>In the Matter of: Proposed Site Specific Rule Applicable to the City of Galva Sewage Treatment Plants Discharge to Edwards River and Mud Run Creek, 35 Ill. Adm. Code 302.208(g) – No action taken.</u>	Water

ADJUSTED STANDARDS

AS 09-2	<u>In the Matter of: Petition of Maximum Investments, LLC for an Adjusted Standard from 35 Ill Administrative Code 740.210(a)3 for the Stoney Creek Landfill, Palos Hills, Il. – No action taken.</u>	Land
----------------	---	------

ADMINISTRATIVE CITATIONS

AC 08-29	<u>IEPA v. Keister's, Inc.</u> – In response to a joint stipulation and settlement agreement in this administrative citation action involving a Warren County facility, the Board found that respondent had violated Section 21(p)(3) of the Environmental Protection Act (415 ILCS 5/21(p)(3) (2006)) and ordered respondent to pay a civil penalty of \$1,500. The Board also granted the parties' joint motion to dismiss respondent's petition for review and the alleged violation of 415 ILCS 5/21(p) (1) (2006).	5-0
AC 09-14	<u>IEPA v. Reynolds Service Co.</u> – No action taken.	
AC 09-25	<u>IEPA v. Gilbert and Mary Codgill Estate, c/o William Codgill, Executor</u> – The Board granted complainant's motion for withdrawal of this administrative citation and closed the docket.	5-0
AC 09-26	<u>County of Vermilion, Illinois v. Bill Richardson</u> – The Board found that this Vermilion County respondent violated Sections 21(p)(1) and (p)(3) of the Act (415 ILCS 5/21(p)(1),(p)(3) (2006)), and ordered respondent to pay a civil penalty of \$3,000.	5-0

AC 09-27	<u>IEPA v. Steve Danielson</u> – The Board found that this Bureau County respondent violated Section 21(p)(1) of the Act (415 ILCS 5/21(p)(1 (2006)), and ordered respondent to pay a civil penalty of \$1,500.	5-0
AC 09-28	<u>IEPA v. Theodore and Sally Jackson</u> – The Board accepted for hearing respondents’ petition for review of this administrative citation involving a Mason County facility.	5-0

ADJUDICATORY CASES

PCB 03-182	<u>People of the State of Illinois v. Vertellus Specialties, Inc., formerly known as Reilly Industries, Inc.</u> – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this air and water enforcement action involving a Madison County facility, the Board ordered publication of the required newspaper notice.	5-0 A, W-E
PCB 05-163	<u>People of the State of Illinois v. Pekin Paperboard Company, L.P., a Delaware limited partnership</u> – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this water enforcement action involving a Tazewell County facility, the Board ordered publication of the required newspaper notice.	5-0 W-E
PCB 06-6	<u>ESG Watts, Inc. (Taylor Ridge/Andalusia Landfill) v. IEPA</u> – The Board granted this Rock Island County facility’s motion for voluntary dismissal of this permit appeal.	5-0 P-A, Land
PCB 07-44	<u>Indian Creek Development Company, an Illinois partnership, individually as beneficiary under trust 3291 of the Chicago Title and Trust Company dated December 15, 1981 and the Chicago Title and Trust Company, as trustee under trust 3291, dated December 15, 1981 v. The Burlington Northern Santa Fe Railway Company, a Delaware company</u> – No action taken.	Citizens L, W-E
PCB 07-63	<u>PMA & Associates, Inc. v. IEPA</u> – No action taken.	UST Appeal
PCB 07-70	<u>People of the State of Illinois v. J. B. Timmermann Farms, Ltd.,</u> – No action taken.	W-E
PCB 08-86	<u>City of Quincy v. IEPA</u> – No action taken.	P-A, Water

PCB 08-87	<u>People of the State of Illinois v. Steve Soderberg d/b/a Steve's Concrete and Excavating</u> – No action taken.	W-E
PCB 08-96	<u>United City of Yorkville v. Hamman Farms</u> – No action taken.	Citizens A, L, W-E
PCB 08-102	<u>People of the State of Illinois v. City of Coffeen</u> – In this water enforcement action concerning a Montgomery 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) (2006)), and accepted a stipulation and settlement agreement, ordering the respondents to pay a total civil penalty of \$1,890.00, and to cease and desist from further violations.	5-0 W-E
PCB 09-21	<u>Ameren Energy Generating Company, Amerenenergy Resources Generating Company, and Electric Energy, Inc. v. IEPA</u> – The Board denied petitioner's request for a variance for seven coal-fired electric power plants.	4-1 A-V Johnson dissented
PCB 09-29	<u>People of the State of Illinois v. Kaplan Development and Investment Company</u> – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this water enforcement action involving a St. Clair County facility, the Board ordered publication of the required newspaper notice.	5-0 W-E
PCB 09-38	<u>Ameren Energy Generating Company v. IEPA</u> – No action taken.	P-A, Water
PCB 09-45	<u>Jerrald R. West II v. Nakomis Quarry Company</u> – No action taken.	A-E
PCB 09-47	<u>People of the State of Illinois v. Birds Pinkstaff Water District</u> – The Board accepted for hearing this public water supply enforcement action involving a site located in Lawrence County.	5-0 PWS-E
PCB 09-48	<u>Dynegy Midwest Generation v. IEPA</u> – No action taken.	A-V

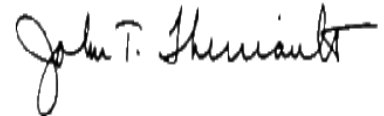
CASES PENDING DECISION

OTHER ITEMS

ADJOURNMENT

Moved and seconded, by a vote of 5-0, Chairman Girard adjourned the meeting at 11:18 a.m.

I, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on February 5, 2009, by a vote of 5-0.



John T. Therriault, Assistant Clerk
Illinois Pollution Control Board