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# Environmental Register

March 2009 - Number 657

The Environmental Register is a Publication of the Illinois Pollution Control Board

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G. Tanner Girard, Acting Chairman

Board Members:

Thomas E. Johnson, Andrea S. Moore, Shundar Lin, and Gary Blankenship

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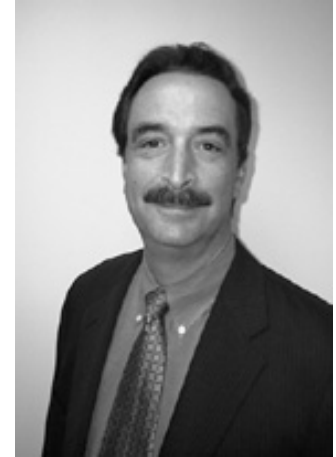
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# Letter from the Chairman

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The Board held hearings and adopted opinions in six open rulemaking dockets during February and March, covering air, water and land media. Progress in the dockets range from one docket nearing completion in the rulemaking process, to others at the early hearing stage before first notice. Information about these proceedings and the Board's other cases is available through the Clerk's Office Online (COOL) on our Web site at [www.ipcb.state.il.us](http://www.ipcb.state.il.us).



R08-9 Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System and the Lower Des Plaines River: Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303 and 304 217: The Illinois Environmental Protection Agency (IEPA) filed this rulemaking proposal on October 26, 2007. The Board has now held 24 days of hearings, including February 17, 2009, and March 3, 2009. Four additional days of hearing are scheduled for April and May in Chicago.

R08-17 Standards and Limitations for Organic Material Emissions for Area Sources Proposed New 35 Ill. Adm. Code Part 223: On January 2, 2008, IEPA filed this rulemaking proposal to regulate VOM emissions from consumer products and architectural/industrial maintenance products. The IEPA originally proposed standards for aerosol coating but withdrew that language after adoption of federal standards regulating that category. On October 16, 2008, the Board issued its first-notice opinion and order. On March 19, 2009, the Board adopted a second-notice opinion and order and this rule will be considered by the legislative Joint Committee on Administrative Rules in April.

R 09-9 In the Matter of: Proposed Amendments to Tiered Approach to Corrective Action Objectives (35 Ill. Adm. Code 742): The IEPA filed this rulemaking proposal on September 3, 2008, and the Board held its second hearing on March 17, 2009.

R 09-10 In the Matter of: Amendments to 35 Ill. Adm. Code 225: Control of Emissions From Large Combustion Sources (Mercury Monitoring): The IEPA filed this proposal on October 3, 2008. On November 5, 2008, the Board granted IEPA's motion for expedited review and sent the proposal to first notice without commenting on its merits. The Board held a second hearing on February 10, 2009, in Chicago.

R 09-11 In the Matter of: City of Galva Site Specific Water Quality Standard for Boron Discharges to Edwards River and Mud Creek: 35 Ill. Adm. Code 303.447 and 303.448: The City Of Galva filed this petition for a site-specific rule on October 17, 2008. The Board denied the City of Galva's motion for expedited review but sent the proposal to first notice without commenting on its substantive merits. The Board held a hearing on March 31, 2009.

R 09-19 In the Matter of: Air Quality Standards Clean-up: Amendments to 35 Ill. Adm. Code Part 243: IEPA filed this rulemaking proposal on December 19, 2008. On February 19, 2009, the Board granted IEPA's motion to amend its proposal. The Board held its first hearing on March 10, 2009, in Chicago, and a second hearing will take place April 28, 2009, in Springfield.

The Board welcomes citizen participation in environmental rulemaking. More information can be found on our website at [www.ipcb.state.il.us](http://www.ipcb.state.il.us).

Sincerely,

A handwritten signature in black ink that reads "G. Tanner Girard". The signature is written in a cursive, slightly slanted style.

Dr. G. Tanner Girard

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## Appellate Update

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**In County of Kankakee, Illinois, et al. v. Hon. William E. Holdridge et al., No. 107422 (Mar. 25, 2009), Illinois Supreme Court In a Second Supervisory Order Directs Third District Appellate Court to Vacate October 10, 2008 Summary Order in Siting Appeal Known as "Town & Country II": County of Kankakee, Illinois, Edward D. Smith, Kankakee County State's Attorney, Byron Sandburg and Waste Management of Illinois, Inc. v. Illinois Pollution Control Board, City of Kankakee, Illinois, Kankakee Regional Landfill, LLC and Town & Country Utilities, Inc., Nos. 3-04-02713-04-02853-04-0289 (cons.) (3rd Dist. Oct. 10, 2008) (affirming Board's order affirming grant of siting approval in PCB 04-33, 34, 35 (Mar. 18, 2004))**

The Illinois Supreme Court issued a supervisory order March 26, 2009 in County of Kankakee, Illinois, et al. v. Hon. William E. Holdridge et al., No. 107422 (Mar. 25, 2009). The supervisory order, the second in the same underlying case, was issued in the course of the denial of a petition for leave to appeal filed by Waste Management of Illinois, Inc. in response to the Third District Appellate Court's October 10, 2008 summary order affirming the Board's decision in the case known as "Town & Country II" *i.e.* County of Kankakee, Illinois, Edward D. Smith, Kankakee County State's Attorney, Byron Sandburg and Waste Management of Illinois, Inc. v. Illinois Pollution Control Board, City of Kankakee, Illinois, Kankakee Regional Landfill, LLC and Town & Country Utilities, Inc., Nos. 3-04-02713-04-02853-04-0289 (cons.) (3rd Dist. Oct. 10, 2008) (affirming Board's order affirming grant of siting approval in PCB 04-33, 34, 35 (Mar. 18, 2004)). The Third District's October 10, 2008 summary order under Supreme Court Rule 23 (166 Ill. Ed. R.23) upholds the siting approval granted by the Kankakee City Council in response to Town & Country's second siting application in 2003. The court issued the summary order following the Supreme Court's first supervisory order issued June 5, 2008 requiring the court to reconsider the April 24, 2008 Rule 23 order affirming the Board's order. The Third District had issued the April 24 order following rehearing requested by the parties of the court's original November 17, 2006 order reversing the Board. County of Kankakee, Illinois, Edward D. Smith, Kankakee County State's Attorney, Byron Sandburg and Waste Management of Illinois, Inc. v. Illinois Pollution Control Board, City of Kankakee, Illinois, Kankakee Regional Landfill, LLC and Town & Country Utilities, Inc., Nos. 3-04-02713-04-02853-04-0289 (cons.) (3rd Dist. Nov. 17, 2006).

The prior history of the Town & Country II has been reported in these pages in detail. *See, e.g., Environmental Register* No. 652 at pp.5-7 (Oct. 2008), No. 648 at p. 4 (June. 2008), No. 646 at pp. 6-9 (Apr. 2008) and No. 633 at pp. 2-9 (Mar. 2007). That detail will not be repeated here.

In its March 26, 2008 supervisory order, the Illinois Supreme Court first recited, in three paragraphs, the history of prior decisions in this matter. The Supreme Court first denied the petition for leave to appeal. The Supreme Court then issued its second supervisory instructions, directing the Third District to vacate the October 10, 2008 "summary order." Specifically, the Supreme Court's concluding paragraph instructed as follows:

The appellate court is directed to reconsider its decision. The appellate court should first determine whether the first siting application was disapproved within the meaning of 415 ILCS 5/ 39.2(m). If it determines that it was, the appellate court should next consider the effect of the Board's failure to consider the [Section 39.2 (m)] substantial similarity issue. In other words, the appellate court will determine if a remand to the Board is required or if that issue may be decided in the first instance on appeal. If it determines that the issue may be decided in the first instance on appeal, the appellate court will properly consider the parties' remaining issues on appeal. The appellate court's decision will not be by summary order pursuant to Supreme Court Rule 23(c) (166 Ill. 2d. R. 23 (c)), but shall be either by opinion pursuant to Supreme Court Rule 23(a) (166 Ill. 2d. R. 23 (a)) or by written order pursuant to Supreme Court Rule 23(b) (166 Ill. 2d. R. 23 (b)). The appellate court will not be flippant in its decision, but will act with the utmost decorum and give the issues the attention and consideration they deserve. The appellate court will address the issues thoroughly and completely. As part of its consideration of each issue, the appellate court will set out the parties' arguments, the governing law, and the standard of review. If the current panel of

justices is incapable of complying, or unwilling to comply, with this supervisory order, the cause should be assigned to another panel. Failure to comply with this supervisory order in all respects will result in the appellate court's decision being summarily vacated and the cause remanded to a different panel of judges. County of Kankakee, Illinois, et al. v. Hon. William E. Holdridge et al., No. 107422 (Mar. 25, 2009), slip op. at 3. (emphasis in original).

The parties are currently awaiting further action by the Third District Appellate Court.

## Rulemaking Update

### **Board Dismisses Identical in Substance Rulemaking Docket As Unnecessary: Definition of VOM Update, USEPA amendments (July 1, 2008 through December 31, 2008), R09-12**

Every six months the Board reserves a series of dockets for adoption of Board rules under Section 7.2 of the Environmental Protection Act (Act) (415 ILCS 5/7.2 (2006)) "identical in substance" to any rules adopted by the United States Environmental Protection Agency (USEPA) to implement various programs. On March 5, 2009, the Board dismissed as unnecessary the following docket reserved to consider rules adopted by the USEPA during the period of July 1, 2008 through December 31, 2008. In the program area described below, USEPA adopted no rules during the update period:

**Definition of VOM (R09-12)** Section 9.1(e) of the Act (415 ILCS 5/9.1(e)(2006)) requires the Board to adopt regulations that are "identical in substance" to regulations of the United States Environmental Protection Agency (USEPA). Specifically, Section 9.1(e) relates to the definition of "volatile organic material" (VOM) and those compounds that USEPA has found to be exempted from regulation under state implementation plans for ozone due to negligible photochemical reactivity. USEPA has codified these exemptions as part of its definitions at 40 C.F.R. 51.100(s).

Copies of the Board's dismissal order may be obtained by calling the Clerk's office at 312-814-3620, or by downloading copies from the Board's Website at [www.ipcb.state.il.us](http://www.ipcb.state.il.us).

For additional information contact Mike McCambridge at 312-814-6924; e-mail address [mccambm@ipcb.state.il.us](mailto:mccambm@ipcb.state.il.us).

### **Board Adopts Second Notice Order in Proposed New 35 Ill. Adm. Code Part 223 Standards and Limitations for Organic Material Emissions for Area Sources (R08-17).**

On March 19, 2009, the Board adopted for second notice a proposal amending its air pollution regulations. Proposed New 35 Ill. Adm. Code Part 223 Standards and Limitations for Organic Material Emissions for Area Sources, R08-17. With the exception of extending the implementation date from January 1 to July 1, 2009, these proposed second-notice amendments are substantively unchanged from those proposed in the Board's October 16, 2008 first notice opinion and order. The Board will submit the second notice proposal to the Joint Committee on Administrative Rules (JCAR) for review and possible consideration at JCAR's April 21, 2009 meeting.

The proposal is based on the January 2, 2008 Illinois Environmental Protection Agency (IEPA) rulemaking proposal to reduce volatile organic material (VOM) emissions from consumer and commercial products, architectural and industrial maintenance products, and aerosol coatings. The Board held hearings on the proposal in Springfield and Chicago, respectively, on April 30 and June 4, 2008.

Copies of the Board's and hearing officer's orders may be obtained by calling the Clerk's office at 312-814-3620, or by downloading copies from the Board's Website at [www.ipcb.state.il.us](http://www.ipcb.state.il.us).

For additional information contact Tim Fox at 312-814- 6085; e-mail address [foxt@ipcb.state.il.us](mailto:foxt@ipcb.state.il.us).

## Board Actions

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**March 5, 2009**  
**Chicago, Illinois**

### Rulemakings

**R09-12**      Definition of VOM Update, USEPA amendments (July 1, 2008 through December 31, 2008) – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its exemptions from the definition of volatile organic emission regulations during the update period of July 1, 2008 through December 31, 2008. 5-0  
Air

### Adjusted Standards

**AS 09-1**      In the Matter of: Petition of Ameren Energy Generating Company for Adjusted Standards from 35 Ill. Adm. Code Parts 811, 814, and 815 (Hutsonville Power Station) – The Board found that an adjusted standard is not the appropriate source of the regulatory relief which petitioner is seeking. The Board dismissed petitioner’s petition for an adjusted standard and closed this docket, inviting petitioner to propose a site specific rule instead. 5-0  
Land

### Administrative Citations

**AC 09-35**      IEPA v. William and Patricia Hajek – The Board accepted William Hajek’s petition for review, but directed Patricia Hajek to file an amended petition to cure deficiencies. 5-0

### Adjudicatory Cases

**PCB 03-182**      People of the State of Illinois v. Vertellus Specialties, Inc., formerly known as Reilly Industries, Inc. – In this air and water 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) (2006)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$140,000.00, and to cease and desist from further violations. 5-0  
A, W-E

**PCB 05-50**      L. Keller Oil Properties (Charleston) v. IEPA – The Board granted this Coles County facility’s motion for voluntary dismissal of this underground storage tank appeal. 5-0  
UST  
Appeal

**PCB 05-163**      People of the State of Illinois v. Pekin Paperboard Company, L.P. – In this water enforcement action concerning a Tazewell 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)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$65,000.00, and to cease and desist from further violations. 5-0  
W-E

**PCB 07-15**      Joyce Farms Recycling, Inc. v. IEPA – The Board granted this Kankakee County facility’s motion for voluntary dismissal of this permit appeal. 5-0  
P-A, Land

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<b>PCB 08-11</b>	<u>People of the State of Illinois v. Plastic Capacitors, 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 enforcement action involving a Cook County facility, the Board ordered publication of the required newspaper notice	5-0 A-E
<b>PCB 08-34</b>	<u>Webel Feeds and Tilus, Inc. v. IEPA</u> – The Board granted this Pike County facility’s motion for voluntary dismissal of this permit appeal.	5-0 P-A, Land
<b>PCB 08-49</b>	<u>Joyce Farms Recycling, Inc. v. IEPA</u> – The Board granted this Kankakee County facility’s motion for voluntary dismissal of this permit appeal.	5-0 P-A, Land
<b>PCB 08-51</b>	<u>People of the State of Illinois v. Highland Baking Company</u> – 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) (2006)), accepted a stipulation and settlement agreement, and ordered the respondents to pay a total civil penalty of \$75,000.00, and to cease and desist from further violations.	5-0 A-E
<b>PCB 09-33</b>	<u>S &amp; D. Realty, Inc. v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a Cook County facility.	5-0 UST Appeal
<b>PCB 09-37</b>	<u>Simons Auto Service Center v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a St. Clair County facility.	5-0 UST Appeal
<b>PCB 09-38</b>	<u>Ameren Energy Generating Company v. IEPA</u> – The Board accepted for hearing this request to modify site specific thermal standards involving a Montgomery County facility. The Board denied petitioner’s requests expedited review of its petition.	5-0 T
<b>PCB 09-43</b>	<u>Waste Management of Illinois, Inc. and Kendall Land and Cattle, LLC v. County Board of Kendall County</u> – The Board granted the motions of Village of Minooka and Kankakee Regional Landfill LLC to file Amicus Brief, granted the motion to withdraw George Mueller’s appearance on behalf of Fox Moraine, and denied petitioners' motions to strike appearances of Village of Minooka and Kankakee Regional Landfill LLC.	5-0 P-C-F-S-R
<b>PCB 09-48</b>	<u>Dynegy Midwest Generation v. IEPA</u> – The Board denied petitioner’s motion to reconsider and accepted the amended petition for hearing.	5-0 A-V
<b>PCB 09-60</b>	<u>People of the State of Illinois v. Crop Production Services</u> – The Board accepted for hearing this water enforcement action involving a site located in Montgomery County.	5-0 W-E
<b>PCB 09-61</b>	<u>Johnson Oil Company, LLC v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a Vermilion County facility.	5-0 UST Appeal
<b>PCB 09-63</b>	<u>J. I. Corporation v. IEPA</u> – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Boone County facility.	5-0 UST Appeal, 90- Day Extension
<b>PCB 09-64</b>	<u>People of the State of Illinois v. Citgo Petroleum Corporation</u> – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this land enforcement action involving a Will County facility, the Board ordered publication of the required newspaper notice.	5-0 L-E

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**PCB 09-65**     People of the State of Illinois v. Stark Excavating, Inc., – The Board accepted for hearing this land enforcement action involving a site located in Montgomery County.     5-0  
L-E

### March 19, 2009 Chicago, Illinois

#### Rulemakings

**R08-17**     In the Matter of: Standards and Limitations for Organic Material Emissions for Area Sources Proposed New 35 Ill. Adm. Code Part 223 – The Board adopted a second notice opinion and order in this rulemaking to amend the Board’s air pollution control regulations.     5-0  
Air

#### Administrative Citations

**AC 06-39**     City of Chicago Department of Environment v. Speedy Gonzalez Landscaping, Inc.     5-0

**AC 06-40**     City of Chicago Department of Environment v. Jose R. Gonzalez

**AC 06-41**     City of Chicago Department of Environment v. 1601-1759 East 130th Street, LLC

**AC 07-25**  
(cons.)     City of Chicago Department of Environment v. 1601-1759 East 130th Street, LLC – The Board granted respondents’ motions to consolidate AC 06-39, AC 06-40, AC 06-41, and AC 07-25 for purposes of decision, denied complainant’s motions to strike respondents’ motions to dismiss these cases, and denied respondents’ motions to dismiss. The Board found that complainant did not prove the alleged violations of Sections 21(p)(1), (p)(2), (p)(3), (p)(4), and (p)(7)(i) of the Environmental Protection Act (Act) (415 ILCS 5/21(p)(1), (p)(2), (p)(3), (p)(4), (p)(7)(i) (2006)) in AC 06-39. The Board found that respondent did violate of Sections 21(p)(1), (p)(2), (p)(3), and (p)(7)(i) of the Act in AC 06-40 and in AC 06-41. Complainant did not prove that Section 21(p)(4) of the Act was violated. The Board dismissed AC 07-25 because it was improperly issued. The Board ordered the Clerk of the Board and the complainant to file by April 20, 2009 a statement of hearing costs, supported by affidavit, with service on respondent. Respondent may respond to the cost statement within 21 days of service.

**AC 09-33**     IEPA v. Dave Swearingen – The Board found that this Coles County respondent violated Sections 21(p) (1) and (7) of the Act (415 ILCS 5/21(p)(1) and (7) (2006)) and ordered respondent to pay a penalty of \$3,000.     5-0

**AC 09-35**     IEPA v. William and Patricia Hajek – The Board accepted for hearing respondents’ amended petition for review in this administrative citation involving a DeKalb County facility.     5-0

#### Adjudicatory Cases

**PCB 96-76**     People of the State of Illinois v. Chemetco, Inc. – 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) (2006)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$2,000,000, and to cease and desist from further violations.     5-0  
L-E

**PCB 05-218**     13 East Quick Stop v. IEPA – The Board granted this Williamson County facility’s motion for voluntary dismissal of this underground storage tank appeal.     5-0  
UST  
Appeal

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<b>PCB 06-181</b>	<u>People of the State of Illinois v. Quad-County Ready Mix Corporation</u> – In this land and air enforcement action concerning a St. Clair 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)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$30,000, and to cease and desist from further violations.	5-0 A,L-E
<b>PCB 07-144</b>	<u>People of the State of Illinois v. Mick Morfeý</u> – In this air enforcement action concerning a Carroll 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)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$1,000, and to cease and desist from further violations.	5-0 A-E
<b>PCB 08-17</b>	<u>People of the State of Illinois v. Felker Pharmacy, Inc., and Rod Bennett Construction, Inc., v. McClellan Blakemore Architects, Inc. and Wendler Engineering Services, Inc.</u> – The Board granted third-party complainant Rod Bennett Construction, Inc.’s motion to dismiss the third-party complaint.	5-0 W-E
<b>PCB 09-16</b>	<u>People of the State of Illinois v. MII, Inc.</u> – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this land enforcement action involving a Logan County facility, the Board ordered publication of the required newspaper notice.	5-0 L, N-E
<b>PCB 09-21</b>	<u>Ameren Energy Generating Company, Amerenenergy Resources Generating Company, and Electric Energy, Inc. v. IEPA</u> – Having found that petitioner did not provide new evidence that would indicate that the Board’s January 22, 2009 opinion and order denying the variance request was in error, the Board denied the motion to reconsider.	4-1 Johnson dissenting A-V
<b>PCB 09-67</b>	<u>Prime Location Properties, LLC v. IEPA</u> – The Board ordered petitioner to file an amended petition to cure noted deficiencies, on or before April 20, 2009, or the petition would be subject to dismissal.	5-0 UST Appeal
<b>PCB 09-68</b>	<u>Citation Oil and Gas v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Citation Oil & Gas Corporation located in Marion County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2006)).	5-0 T-C, A

## New Cases

### March 5, 2009 Board Meeting

**09-60** People of the State of Illinois v. Crop Production Services – The Board accepted for hearing this water enforcement action involving a site located in Montgomery County.

**09-61** Johnson Oil Company, LLC v. IEPA – The Board accepted for hearing this underground storage tank appeal involving a Vermilion County facility.

**09-62** John Tarkowski v. IEPA – No action taken.

**09-63** J. I. Corporation v. IEPA – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Boone County facility.

**09-64** People of the State of Illinois v. Citgo Petroleum Corporation – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this land enforcement action involving a Will County facility, the Board ordered publication of the required newspaper notice.



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**09-65** People of the State of Illinois v. Stark Excavating, Inc. – The Board accepted for hearing this land enforcement action involving a site located in Montgomery County.

**AC 09-35** IEPA v. William and Patricia Hajek – The Board accepted an administrative citation against these DeKalb County respondents.

**AC 09-36** County of Sangamon v. Landers' Children Family, LLC – The Board accepted an administrative citation against this Sangamon County respondent.

**AC 09-37** IEPA v. Info Corner Materials, Inc. – The Board accepted an administrative citation against this Sangamon County respondent.

**AC 09-38** IEPA v. Thomas, Wayne and Valerie Hill – The Board accepted an administrative citation against these Union County respondents.

### March 19, 2009 Board Meeting

**09-66** Elmhurst Memorial Healthcare and Elmhurst Memorial Hospital v. Chevron U.S.A., Inc. – No action taken.

**09-67** Prime Location Properties, LLC v. IEPA – The Board ordered petitioner to file an amended petition to cure noted deficiencies, on or before April 20, 2009, or the petition would be subject to dismissal.

**09-68** Citation Oil and Gas v. IEPA – Upon receipt of the Illinois Environmental Protection Agency's recommendation, the Board found and certified that specified facilities of Citation Oil & Gas Corporation located in Marion County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2006)).

**AC 09-39** IEPA v. Donald Sapp – The Board accepted an administrative citation against this Pike County respondent.

### Calendar

4/2/09 11:00 AM	<b>Illinois Pollution Control Board Meeting</b>		<b>Videconference</b>  <b>James R. Thompson Center</b> <b>100 W. Randolph Street</b> <b>Chicago</b> <b>And</b> <b>Illinois Pollution Control Board</b> <b>Hearing Room (1244 N, First</b> <b>Floor)</b> <b>1021 N. Grand Avenue East</b> <b>(North Entrance)</b> <b>Springfield</b>
4/15/09 9:00 AM	R08-09	<u>In the Matter of: Water Quality</u> <u>Standards and Effluent Limitations for</u> <u>the Chicago Area Waterway System and</u> <u>the Lower Des Plaines River: Proposed</u> <u>Amendments to 35 Ill. Adm. Code 301,</u> <u>302, 303, and 304</u>	Assembly Hall Concourse Level James R. Thompson Center 100 W. Randolph Street Chicago

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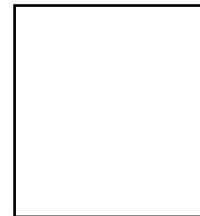
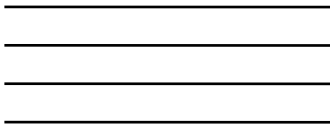
<p><b>4/16/09</b> 11:00 AM</p>	<p><b>Illinois Pollution Control Board Meeting</b></p>		<p><b>Videoconference</b>   <b>James R. Thompson Center</b>  <b>100 W. Randolph Street</b>  <b>Chicago</b>  <b>And</b>  <b>Illinois Pollution Control Board</b>  <b>Hearing Room (1244 N, First</b>  <b>Floor)</b>  <b>1021 N. Grand Avenue East</b>  <b>(North Entrance)</b>  <b>Springfield</b></p>
<p>4/21/09 9:00 AM</p>	<p>PCB 07-146</p>	<p><u>Fox Moraine, LLC v. United City of Yorkville, City Council: Kendall County, Intervenor</u>  <b>(continues until complete or through April 23, 2009)</b></p>	<p>United City of Yorkville Public Library Meeting Room  902 Game Farm Road  Yorkville</p>
<p>4/28/09 2:00 PM</p>	<p>R09-19</p>	<p><u>In the Matter of: Air Quality Standards Clean-up: Amendments to 35 Ill. Adm. Code Part 243</u></p>	<p>Illinois Pollution Control Board Conference Room, First Floor  1021 N. Grand Avenue East,  North Entrance  Springfield</p>
<p>5/5/09 10:00 AM</p>	<p>R08-09</p>	<p><u>In the Matter of: Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System and the Lower Des Plaines River: Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303, and 304</u>  <b>(continues until complete or through May 6, 2009)</b></p>	<p>James R. Thompson Center  Room 9-040  100 W. Randolph Street  Chicago</p>
<p><b>5/7/09</b> 11:00 AM</p>	<p><b>Illinois Pollution Control Board Meeting</b></p>		<p><b>Videoconference</b>   <b>James R. Thompson Center</b>  <b>100 W. Randolph Street</b>  <b>Chicago</b>  <b>And</b>  <b>Illinois Pollution Control Board</b>  <b>Hearing Room (1244 N, First</b>  <b>Floor)</b>  <b>1021 N. Grand Avenue East</b>  <b>(North Entrance)</b>  <b>Springfield</b></p>
<p>5/19/09 9:00 AM</p>	<p>PCB 09-38</p>	<p><u>Ameren Energy Generating Company v. IEPA</u></p>	<p>City Hall Council Chambers  120 E. Ryder Street  Litchfield</p>
<p>5/20/09 10:00 AM</p>	<p>R08-09</p>	<p><u>In the Matter of: Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System and the Lower Des Plaines River: Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303, and 304</u></p>	<p>James R. Thompson Center  Room 9-040  100 W. Randolph Street  Chicago</p>



The Illinois Pollution Control Board is an independent five-member board that adopts environmental control standards, rules on enforcement actions, and other environmental disputes for the State of Illinois.

The *Environmental Register* is published monthly by the Board, and contains updates on rulemakings, descriptions of final decisions, the Board's hearing calendar, and other environmental law information.

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