
Environmental Register

February 2013 - Number 704

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

Thomas Holbrook, Chairman

Board Members:

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Letter from the Chairman

During February, activity occurred in a number of the Board's rulemaking dockets, and I've summarized some of that activity below. As always, information about these rulemakings is available through the Clerk's Office Online (COOL) at our Web site at www.ipcb.state.il.us.

On February 7, 2013, the Board opened subdocket R11-18(B), Technical Corrections to Triennial Review of Water Quality Standards Amendments for Fluoride and Manganese: Amendments to 35 Ill. Adm. Code 302.208(b) and (e), and sent to first-notice two technical corrections to recently-adopted amendments to 35 Ill. Adm. Code 302.208. The errors occur in the reporting requirements for the fluoride and manganese water quality standards, and the Board believes that failure to promptly propose correction could result in unintended difficulty for dischargers in monitoring, reporting, and demonstrating compliance.



On February 24, 2013, the Board adopted a first-notice opinion and order in 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, R8-9(C). The Board proposed two aquatic life use designations and definitions of them for the Chicago Area Waterways System (CAWS) and Lower Des Plaines River (LDPR): CAWS Aquatic Life Use (ALU) A and CAWS and Brandon Pool Aquatic Life Use (ALU) B. Generally CAWS ALU A waters are capable of supporting communities of native fish that are tolerant and moderately tolerant and may include sport fish species such as channel catfish, largemouth bass, bluegill, northern pike, and black crappie, and non-game fish species such as the creek chubsucker, spottail shiner, and orangespotted sunfish. CAWS and Brandon Pool ALU B waters are capable of supporting primarily tolerant fish species, such as central mudminnow, golden shiner, bluntnose minnow, yellow bullhead and green sunfish.

The Board proposed the following as CAWS ALU A waters: Upper North Shore Channel, Lower North Shore Channel, North Branch of the Chicago River, South Branch of the Chicago River, Cal-Sag Channel, Calumet River, Little Calumet River, Grand Calumet River, Lake Calumet, and Lake Calumet Connecting Channel. The Board proposed as ALU B waters the Chicago Sanitary and Ship Canal and Brandon Pool.

The Board did not propose an aquatic life use for the Upper Dresden Island Pool (UDIP). Instead, the Board proposed that UDIP be classified as General Use. However, the Board will visit the issue of appropriate water quality standards for UDIP in Subdocket D. The Board also opened a Subdocket E for examination of issues pertaining to Bubbly Creek, the South Fork of the South Branch Chicago River) as requested by a number of the participants in this rulemaking.

The Board also proposed language establishing effluent limits as the Board had indicated it would in adopting regulations in Subdocket B.

Please visit our website (www.ipcb.state.il.us) for more information on the rulemakings described above, as well as information on our docket of contested cases.

Sincerely,

A handwritten signature in black ink that reads "Thomas Holbrook". The signature is written in a cursive style with a large, sweeping initial "T".

Thomas Holbrook
Chairman

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Rulemaking Update

Board Proposes Aquatic Life Use Designations for the Chicago Area Waterways System and Lower Des Plaines River, R08-9(C); Opens Subdocket to Further Consider Chicago's Bubbly Creek, R08-9(E)

On February 21, 2013, in Docket R08-9(C), the Pollution Control Board adopted a first notice opinion and order proposing two designations of aquatic life use for the Chicago Area Waterway System (CAWS) and Lower Des Plaines River (LPDR). After reviewing the record and examining the Clean Water Act goal of “water quality which provides for the protection and propagation of fish, shellfish, and wildlife . . .,” the Board proposed CAWS Aquatic Life Use (ALU) A and CAWS and Brandon Pool ALU B. The rulemaking is docketed as In the Matter of: Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System and Lower Des Plaines River: Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303, and 304 (R08-9 Subdocket C). The Board will soon file the proposed rules with the Secretary of State for publication in the *Illinois Register*, triggering an additional 45-day public comment period under the Administrative Procedure Act, 5 ILCS 100 *et seq.* The Board specifically requested public comment on its proposal, which differs from those suggested by various participants.

Generally CAWS ALU A waters are capable of supporting communities of native fish that are tolerant and moderately tolerant and may include sport fish species such as channel catfish, largemouth bass, bluegill, northern pike, and black crappie, and non-game fish species such as the creek chubsucker, spottail shiner, and orangespotted sunfish. The Board proposed as CAWS ALU A waters: Upper North Shore Channel, Lower North Shore Channel, North Branch of the Chicago River, South Branch of the Chicago River, Calumet-Saganashkee (Cal-Sag) Channel, Calumet River, Little Calumet River, Grand Calumet River, Lake Calumet, and Lake Calumet Connecting Channel.

CAWS and Brandon Pool ALU B waters are capable of supporting primarily tolerant fish species, which may include central mudminnow, golden shiner, bluntnose minnow, yellow bullhead and green sunfish. The Board proposed as ALU B waters the Chicago Sanitary and Ship Canal and Brandon Pool. The Board proposed that the Upper Dresden Island Pool be classified as General Use based on its ability to meet the Clean Water Act goals. However, the Board will visit the issue of appropriate water quality standards for UDIP in Subdocket D. The Board also proposed language to establish effluent limits, as the Board indicated it would in Subdocket B.

Additionally, the Board opened a Subdocket E to examine issues surrounding Bubbly Creek (the South Fork of the South Branch of the Chicago River) as requested by the Metropolitan Water Reclamation District of Greater Chicago and the Environmental Law and Policy Center, Friends of Chicago River, Sierra Club Illinois Chapter, Natural Resources Defense Council and Openlands.

Public comments must be filed with the Clerk of the Board at the following address: Pollution Control Board, James R. Thompson Center, 100 W. Randolph Street, Suite 11-500, Chicago, IL 60601. In addition, public comments may be filed electronically through COOL at www.ipcb.state.il.us. Any questions about electronic filing through COOL should be directed to the Clerk's Office at (312) 814-3629.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board's Web site and may be downloaded from the Web without charge. Hard copies may be obtained from the Clerk's office upon payment of reproduction fees as prescribed by Section 6 of the Freedom of Information Act [5 ILCS 140/6].

For more information contact Marie Tipsord at (312)-814-4925 or email at marie.tipsord@illinois.gov.

Board Opens Subdocket to Make Technical Corrections to Recent Fluoride and Manganese Water Quality Standards Amendments, R11-18 (B)

The Board, on February 7, 2013, proposed technical corrections to recently-adopted amendments to 35 Ill. Adm. Code 302.208, published in the *Illinois Register* at 36 Ill. Reg. 18863 (Dec. 28, 2012). See In the Matter of: Triennial Review of Water Quality Standards for Boron, Fluoride and Manganese: Amendments to 35 Ill. Adm. Code 301.106, 302.Subparts B, C, E, F and 303, R11-18 (Nov. 15, 2012). The Board opened a corrections subdocket captioned Technical Corrections to Triennial Review of Water Quality Standards Amendments for Fluoride and Manganese: Amendments to 35 Ill. Adm. Code 302.208 (b) and (e), R11-18 B (Feb.7, 2013).

This subdocket was opened for the limited purpose of making two changes to Section 302.208, to correct scrivener's errors that occurred during the rulemaking process. The errors occurred in the reporting requirements for the fluoride and manganese water quality standards. The Board believes that failure to promptly propose correction to the standards could result in unintended problems for dischargers in monitoring, reporting, and demonstrating compliance with rules that are arguably ambiguous. The Board does not intend to hold additional hearings, as the intended amendments were those discussed at the three public hearings held in R11-18.

Publication of these proposed amendments in the *Illinois Register* will begin a 45-day public comment period, during which anyone may file a public comment with the Board. The Board encourages persons to file public comments on these proposed amendments. The docket number for this rulemaking, R11-18(B), should be indicated on the public comment.

Public comments must be filed with the Clerk of the Board at the following address: Pollution Control Board, James R. Thompson Center, 100 W. Randolph Street, Suite 11-500, Chicago, IL 60601. In addition, public comments may be filed electronically through COOL at www.ipcb.state.il.us. Any questions about electronic filing through COOL should be directed to the Clerk's Office at (312) 814-3629.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board's Web site and may be downloaded from the Web without charge. Hard copies may be obtained from the Clerk's office upon payment of reproduction fees as prescribed by Section 6 of the Freedom of Information Act [5 ILCS 140/6].

For more information contact Kathleen Crowley at (312)-814-6929 or email at Kathleen.Crowley@illinois.gov.

Board Dismisses Six Reserved Identical in Substance Rulemaking Dockets as Unnecessary

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 (2010)) that are "identical in substance" to any rules adopted by the United States Environmental Protection Agency (USEPA) to implement various programs. On February 7, 2013, the Board dismissed as unnecessary the following dockets reserved to consider rules adopted by the USEPA during the period of July 1, 2012 through December 31, 2013. As USEPA did not amend its rules during the update period, no amendments are needed to Board rules.

Definition of VOM (R13-10) Section 9.1(e) of the Act (415 ILCS 5/9.1(e) (2010)) 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).

SDWA Update (R13-12) Section 17.5 of the Environmental Protection Act (Act) (415 ILCS 5/17.5 (2010)) requires the Board to adopt regulations that are "identical in substance," as defined at Section 7.2 of the Act, to the National Primary Drinking Water Regulations (NPDWRs) adopted by the United States Environmental Protection Agency (USEPA). These regulations implement sections 1412(b), 1414(c), 1417(a), and 1445(a) of the Safe Drinking Water Act (SDWA), 42 U.S.C. §§ 300g-1(b), 300g-3(c), 300g-6(a) & 300j-4(a) (2011). USEPA has codified its SDWA regulations at 40 C.F.R. 141 through 143.

UIC Update (R13-13) Section 13(c) relates to underground injection control (UIC) regulations that USEPA adopted to implement provisions of the Safe Drinking Water Act (42 U.S.C. §§ 300h *et seq.* (2011)). USEPA has codified its UIC regulations at 40 C.F.R. 144 through 148.

RCRA Subtitle D Update (R13-14) Section 22.40(a) relates to municipal solid waste landfill (MSWLF) regulations that USEPA adopted to implement Subtitle D of the Resource Conservation and Recovery Act of 1976 (42 U.S.C §§ 6941-6949 (2011); RCRA Subtitle D). USEPA has codified the federal MSWLF rules as 40 C.F.R. 258.

UST Update (R13-16) Section 22.4(d) relates to underground storage tank (UST) regulations promulgated by the USEPA pursuant to Section 9003 of the federal Resource Conservation and Recovery Act of 1976 (RCRA) (42 U.S.C. §§ 6991b (2011)) to implement Subtitle I of RCRA (42 U.S.C. §§ 6991 *et seq.* (2011)), with certain limitations. USEPA has codified its UST regulations at 40 C.F.R. 280 through 282.

Wastewater Pretreatment Update (R13-17) Section 13.3 relates to wastewater pretreatment regulations that the USEPA adopted to implement Sections 307(b), (c), and (d) and 402(b)(8) and (b)(9) of the federal Water Pollution Control Act (FWPCA) (33 U.S.C. §§ 1317(b), (c), and (d) and 1342(b)(8) and (b)(9) (2011)). USEPA has codified the federal wastewater pretreatment rules as 40 C.F.R. 400 through 499.

Board Actions

February 7, 2013
Chicago, Illinois

Rulemakings

- | | | |
|-------------------|--|--------------|
| R11-18 (B) | <u>In the Matter of: Triennial Review of Water Quality Standards for Boron, Fluoride and Manganese: Amendments to 35 Ill. Adm. Code 301.106, 302.Subparts B, C, E, F and 303.312</u> – The Board adopted a first notice opinion and order in this rulemaking proposal to amend the Board’s water regulations. | 5-0
Water |
| R13-10 | <u>VOM Update, USEPA Amendments (July 1, 2012 through December 31, 2012)</u> – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its volatile organic material regulations during the update period of July 1, 2012 through December 31, 2012. | 5-0
Air |
| R 13-12 | <u>SDWA Update, USEPA Amendments (July 1, 2012 through December 31, 2012)</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, 2012 through December 31, 2012. | 5-0
PWS |
| R 13-13 | <u>UIC Update, USEPA Amendments (July 1, 2012 through December 31, 2012)</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, 2012 through December 31, 2012. | 5-0
Land |

R 13-14	<u>RCRA Subtitle D Update, USEPA Amendments (July 1, 2012 through December 31, 2012)</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, 2012 through December 31, 2012.	5-0 Land
R 13-16	<u>UST Update, USEPA Amendments (July 1, 2012 through December 31, 2012)</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, 2012 through December 31, 2012.	5-0 Land
R 13-17	<u>Wastewater Pretreatment Update, USEPA Amendments (July 1, 2012 through December 31, 2012)</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, 2012 through December 31, 2012.	5-0 Water

Administrative Citations

AC 09-47	<u>IEPA v. D & B. Refuse Service, Inc. and Steve Loveall</u> – In response to a joint stipulation and settlement agreement in this administrative citation action involving a Moultrie County facility, the Board found that respondents had violated Section 21(o)(13) of the Environmental Protection Act (415 ILCS 5/21(o)(13) (2010)) and ordered respondents to pay a civil penalty of \$500. The Board also granted the parties’ joint motion to dismiss respondents’ petition for review.	5-0
AC 13-24	<u>IEPA v. Wabzz Realty, LLC and Best One Tire & Service of Marion, Inc.</u> – The Board found that these Williamson County respondents violated Section 55(k)(1) of the Act (415 ILCS 5/55(k)(1) (2010)), and ordered respondents to pay a civil penalty of \$1,500.	5-0
AC 13-26	<u>IEPA v. Frank E. Seibert</u> – The Board found that this Franklin County respondent violated Sections 21(p)(1), 21(p)(3), 21(p)(4), 21(p)(5), and 21(p)(7) of the Act (415 ILCS 5/21(p)(1), (p)(3), (p)(4), (p)(5), (p)(7) (2010)), and ordered respondent to pay a civil penalty of \$9,000.	5-0
AC 13-35	<u>County of Jackson v. Cloyd and Craig Karnes</u> – The Board accepted respondent’s Cloyd Karnes petition for review involving a Jackson County facility, but directed respondent to file an amended petition to cure deficiencies.	5-0
AC 13-36	<u>IEPA v. Paul Williams & H S Auto Salvage</u> – The Board accepted an administrative citation against these Alexander County respondents.	5-0
AC 13-37	<u>County of Vermilion, Illinois v. Charles Long</u> – The Board accepted an administrative citation against this Vermilion County respondent.	5-0

Adjudicatory Cases

PCB 10-9	<u>People of the State of Illinois v. Waste Hauling Landfill, Inc., Jerry Camfield, and Trinity Rail Group, Inc.</u> – Upon receipt of a proposed stipulation and settlement agreement as to Trinity Rail Group, Inc., and an agreed motion to request relief from the hearing requirement in this land enforcement action involving a facility located in Macon County facility, the Board ordered publication of the required newspaper notice.	5-0 L-E
PCB 10-61	<u>People of the State of Illinois v. Freeman United Coal Mining Company, LLC and Springfield Coal Company, LLC:</u>	4-0 Burke
PCB 11-2 (cons.)	<u>Environmental Law and Policy Center v. Freeman United Coal Mining Company, LLC and Springfield Coal Company, LLC</u> – The Board denied Freeman United and Springfield Coal’s motion to reconsider a November 15, 2012 opinion and order.	abstained W-E
PCB 13-15	<u>Sierra Club, Environmental Law and Policy Center, Prairie Rivers Network, and Citizens Against Ruining the Environment v. Midwest Generation</u> – The Board found that this matter was stayed effective December 17, 2012, due to respondent’s filing of a bankruptcy petition in the federal bankruptcy court.	4-0 Holbrook abstained A-E, Citizens
PCB 13-22	<u>Mahomet Valley Water Authority, City of Champaign, Illinois, Donald R. Gerard, City of Urbana, Illinois, Laurel Lunt Prussing, City of Bloomington, Illinois, County of Champaign, Illinois, County of Piatt, Illinois, Town of Normal Illinois, Village of Savoy, Illinois and City of Decatur v. Clinton Landfill</u> – The Board granted the Attorney General’s unopposed motion to intervene in this enforcement proceeding on behalf of the People of the State of Illinois. The Board also granted the Attorney General’s request for leave to file a response to respondent’s pending motion to dismiss. The Board reserved ruling on the pending motions to dismiss and for leave to file a reply.	5-0 L-E, Citizens
PCB 13-27	<u>Sierra Club v. Midwest Generation, LLC</u> – The Board found that this matter was stayed effective December 17, 2012, due to respondent’s filing of a bankruptcy petition in the federal bankruptcy court.	4-0 Holbrook abstained A-E, Citizens
PCB 13-31	<u>Exelon Generation LLC, Quad Cities Nuclear Generation Station v. IEPA</u> – The Board directed petitioner’s directed to file an amended petition to cure noted deficiencies in this variance petition within 45 days. The Board also granted the Illinois Environmental Protection Agency’s motion for extension of time to file its recommendation.	4-0 Holbrook abstained W-V
PCB 13-40	<u>People of the State of Illinois v. Messenger Auto, Inc., d/b/a Messenger Auto & Recycling, William E. Messenger, Sr., and William M. Messenger, Jr.</u> – The Board accepted for hearing this land enforcement action concerning an Ogle County facility.	5-0 L-E
PCB 13-41	<u>People of the State of Illinois v. Ameren Energy Generating Company, Inc.</u> – The Board accepted for hearing this land enforcement action concerning a Fulton County facility.	5-0 L-E

February 21, 2013
Chicago, Illinois

Rulemakings

R08-9 (C) 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 – The Board adopted a first notice opinion and order in this rulemaking proposal to amend the Board’s water regulations. The Board also opened a Subdocket E to examine issues surrounding Bubbly Creek (the South Fork of the South Branch Chicago River) as requested by the Metropolitan Water Reclamation District of Greater Chicago, Environmental Law and Policy Center, Friends of the Chicago River, Sierra Club Illinois Chapter, Natural Resources Defense Council and Openlands. 5-0
Water

Administrative Citations

AC 10-12 IEPA v. Landers' Children Family, LLC – In response to a joint stipulation and settlement agreement in this administrative citation action involving a Sangamon County facility, the Board found that respondent had violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (2010)) and ordered respondent to pay a civil penalty of \$1,500. To effectuate the parties’ intent that respondent pay a total civil penalty of \$1,500.00, the Board dismissed the alleged violations of Sections 21(p)(7) and 55(k)(1) of the Act (415 ILCS 5/21(p)(7), 55(k)(1) (2010)). The Board also granted the parties’ joint motion to dismiss respondent’s petition for review. 5-0

AC 13-23 IEPA v. IL Valley Urban Lumberjacks, LLC – The Board directed respondent to provide by March 7, 2013, proof of service of its motion to reconsider to the Illinois Environmental Protection Agency. 5-0

AC 13-27 IEPA v. Isidra Nunez d/b/a Chilo's Tire Service – The Board found that this Rock Island County respondent violated Sections 55(k)(1) of the Environmental Protection Act (415 ILCS 5/55(k)(1) (2010)), and ordered respondent to pay a civil penalty of \$1,500. 5-0

AC 13-28 IEPA v. Ray A. Hewerdine – The Board accepted for hearing respondent’s petition for review of this administrative citation involving a Champaign County facility. 5-0

AC 13-31 County of Jackson v. Christopher Will – The Board accepted respondent’s petition for review involving a Jackson County facility, but directed respondent to file an amended petition to cure deficiencies. 5-0

Adjudicatory Cases

PCB 09-92	<u>Tilton Energy LLC (Tilton Energy Center) v. IEPA</u> – The Board granted petitioner’s motion to dismiss this permit appeal.	4-0 Holbrook abstained P-A, Air
PCB 10-23	<u>United States Steel Corporation v. IEPA, American Bottom Conservancy as Intervenor</u> – The Board grants petitioner’s motion to extend the stay of this proceeding through February 4, 2014.	4-0 Holbrook abstained P-A, Air
PCB 13-29	<u>People of the State of Illinois v. 401 North Wabash Venture, LLC</u> – In this water 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) (2010)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$46,000.00, and to cease and desist from further violations.	5-0 W-E
PCB 13-30	<u>People of State of Illinois v. Rock River Arms, Inc.</u> – In this air enforcement action concerning a Henry 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 \$13,000.00, and to cease and desist from further violations.	5-0 A-E
PCB 13-34	<u>People of the State of Illinois v. Info Corner Materials, Inc.</u> – In this land 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) (2010)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$5,000.00, and to cease and desist from further violations.	5-0 L-E
PCB 13-42	<u>Lloyd Milles Farms, Inc. – Genoa v. IEPA</u> – The Board found and certified that specified facilities of Lloyd Milles Farms, Inc. located in DeKalb County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2010)).	5-0 T-C, W
PCB 13-43	<u>People of the State of Illinois v. Blick's Construction Co. Inc. and Ron Bricker</u> – The Board accepted for hearing this land enforcement action concerning an Adams County facility.	5-0 L-E
PCB 13-44	<u>Bacon Hill Farms, Inc. - Avon v. IEPA</u> – The Board found and certified that specified facilities of Bacon Hill Farms, Inc. located in Fulton County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2010)).	5-0 T-C, W
PCB 13-45	<u>Prime Pork, LLC - DeKalb v. IEPA</u> – The Board found and certified that specified facilities of Prime Pork, LLC located in DeKalb County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2010)).	5-0 T-C, W
PCB 13-46	<u>Asay Farms, Inc. v. IEPA</u> – The Board found and certified that specified facilities of Asay Farms, Inc. located in Henry County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2010)).	5-0 T-C, W

New Cases

February 7, 2013 Board Meeting

13-40 People of the State of Illinois v. Messenger Auto, Inc., d/b/a Messenger Auto & Recycling, William E. Messenger, Sr., and William M. Messenger, Jr. – The Board accepted for hearing this land enforcement action concerning an Ogle County facility.

13-41 People of the State of Illinois v. Ameren Energy Generating Company, Inc. – The Board accepted for hearing this land enforcement action concerning a Fulton County facility.

AC 13-36 IEPA v. Paul Williams & H S Auto Salvage – The Board accepted an administrative citation against these Alexander County respondents.

AC 13-37 County of Vermilion, Illinois v. Charles Long – The Board accepted an administrative citation against this Vermilion County respondent.

February 21, 2013 Board Meeting

13-42 Lloyd Milles Farms, Inc. – Genoa v. IEPA – The Board found and certified that specified facilities of Lloyd Milles Farms, Inc. located in DeKalb County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2010)).

13-43 People of the State of Illinois v. Blick's Construction Co. Inc. and Ron Bricker – The Board accepted for hearing this land enforcement action concerning an Adams County facility.

13-44 Bacon Hill Farms, Inc. - Avon v. IEPA – The Board found and certified that specified facilities of Bacon Hill Farms, Inc. located in Fulton County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2010)).

13-45 Prime Pork, LLC - DeKalb v. IEPA – The Board found and certified that specified facilities of Prime Pork, LLC located in DeKalb County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2010)).

13-46 Asay Farms, Inc. v. IEPA – The Board found and certified that specified facilities of Asay Farms, Inc. located in Henry County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2010)).

Calendar

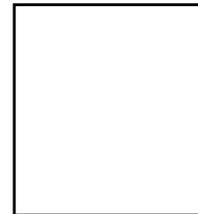
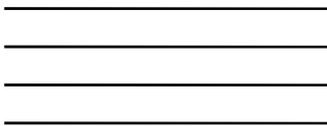
3/5/2013 10:00 AM	AC 10-12	<u>IEPA v. Landers' Children Family, LLC (IEPA No. 336-09-AC)</u>	Illinois Pollution Control Board Hearing Room 1021 North Grand Avenue East (North Entrance) Springfield
3/7/2012 11:00 AM	Illinois Pollution Control Board Meeting		Videoconference Chicago/Springfield James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago And 1021 N. Grand Avenue East Oliver Holmes Conference Room 2012 N Springfield

3/21/2012 11:00 AM	Illinois Pollution Control Board Meeting		James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago
4/4/2012 11:00 AM	Illinois Pollution Control Board Meeting		James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago
4/18/2012 11:00 AM	Illinois Pollution Control Board Meeting		Videoconference Chicago/Springfield James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago And 1021 N. Grand Avenue East Oliver Holmes Conference Room 2012 N Springfield
5/2/2012 11:00 AM	Illinois Pollution Control Board Meeting		James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago
5/7/2013 10:30 AM	PCB 12-124	<u>Broadus Oil Company v. IEPA</u>	Illinois Pollution Control Board Hearing Room 1021 North Grand Avenue East (North Entrance) Springfield
5/7/2013 10:30 AM	PCB 12-134	<u>Brimfield Auto & Truck v. IEPA</u>	Illinois Pollution Control Board Hearing Room 1021 North Grand Avenue East (North Entrance) Springfield
5/16/2012 11:00 AM	Illinois Pollution Control Board Meeting		Videoconference Chicago/Springfield James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago And 1021 N. Grand Avenue East Oliver Holmes Conference Room 2012 N Springfield

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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