

ILLINOIS POLLUTION CONTROL BOARD

MEETING MINUTES



October 16, 2014

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 four Board Members answered present.

APPROVAL OF MINUTES

The minutes of the October 2, 2014 open meeting and the October 9, 2014 Closed Deliberative Session Under 5 ILCS 120/2(c)(4) were approved by a vote of 4-0.

PUBLIC REMARKS

None

RULEMAKINGS

R15-1	<u>RCRA Subtitle C Update, USEPA Amendments (January 1, 2014 through June 30, 2014)</u> (Land) – The Board adopted a proposal for public comment in this “identical-in-substance” rulemaking to amend the Board’s hazardous waste regulations.	4-0
R15-10	<u>In the Matter of: Amendments to the Board's Administrative Rules, 2 Ill. Adm. Code 2175</u> (Procedural) – The Board adopted a final opinion and order in this rulemaking amending the Board’s administrative rules.	4-0

ADJUSTED STANDARDS

AS 15-1	<p><u>In the Matter of: Petition of the City Of Collinsville for an Adjusted Standard from 35 Ill. Adm. Code 620.410 for Certain Constituents</u> <u>(Water)</u> – The Board dismissed this request for an adjusted standard for failure to provide proof of timely publication.</p>	4-0
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ADMINISTRATIVE CITATIONS

AC 15-6	<p><u>County of Macon v. Kevin E. Woodruff</u> – The Board accepted respondent’s petition for review involving a Macon County facility, but directed respondent to file an amended petition to cure deficiencies specified in the order.</p>	4-0
AC 15-8	<p><u>IEPA v. Karen Youmans</u> – The Board granted complainant’s motion for withdrawal of this administrative citation and closed the docket.</p>	4-0

ADJUDICATORY CASES

PCB 07-83	<p><u>People of the State of Illinois v. Edelstein Waterworks Co-Op (Public Water Supply-Enforcement)</u> – In this public water supply enforcement action concerning a Peoria 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) (2012)), accepted a stipulation and settlement agreement, and ordered respondent to pay a total civil penalty of \$1,425.00, and to cease and desist from further violations.</p>	4-0
PCB 09-94	<p><u>Ameren Energy Generating Company, Electric Energy, Inc., and Midwest Electric Power, Inc. v. IEPA</u> <u>(Air-Permit Appeal, CAAPP)</u> – The Board granted petitioners’ motion to strike Ameren Electric Generating Company from the petition for review.</p>	4-0
PCB 11-60	<p><u>American Disposal Services of Illinois, Inc. v. County Board of McLean County, Illinois, Henson Disposal, Inc. and TKNTK, LLC</u> <u>(Land-Siting Appeal, Third Party)</u> – The Board granted the motion for leave to file a reply filed by Henson Disposal, Inc. (Henson) and TKNTK, LLC (TKNTK), and the Board denied the separate motions for reconsideration filed by Henson and TKNTK and by the McLean County Board.</p>	4-0

PCB 12-51	<u>Kramer Tree Specialist, Inc. v. IEPA</u> (Land-Permit Appeal) – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal.	4-0
PCB 13-27	<u>Sierra Club v. Midwest Generation, LLC</u> (Air-Enforcement, Citizen’s) – No action taken.	
PCB 14-13	<u>People of the State of Illinois v. Bingham Commercial Construction, Inc.</u> (Water-Enforcement) – In this water enforcement action concerning an Ogle 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) (2012)), accepted a stipulation and settlement agreement, and ordered respondent to pay a total civil penalty of \$6,000.00, and to cease and desist from further violations.	4-0
PCB 14-110	<u>KCBX Terminals Company v. IEPA</u> (Air - Permit Appeal) – The Board granted the Illinois Environmental Protection Agency’s (Agency) motion for leave to file a reply. The Board denied the Agency’s motion to reconsider the Board’s September 4, 2014 order, but, on its own motion, extended to November 20, 2014 the deadline for the Agency to make its final permitting determination on remand.	4-0
PCB 14-111	<u>Sanitary District of Decatur v. IEPA</u> (Water-Variance) – The Board granted petitioner’s motion to stay the proceeding to April 1, 2015, and directed the parties to file status reports before and on that date.	4-0
PCB 14-133	<u>People of the State of Illinois v. Muhammad S. Ansari, individually, and Lake Bluff Petroleum, Inc.</u> (Water-Enforcement) – In this water enforcement action concerning a Lake 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) (2012)), accepted a stipulation and settlement agreement, and ordered respondent to pay a total civil penalty of \$5,000.00, and to cease and desist from further violations.	4-0

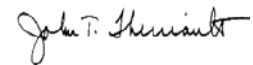
<p>PCB 15-65</p> <p>PCB 15-69</p>	<p><u>Roxana Landfill, Inc. v. Village Board of the Village of Caseyville, Illinois; Village of Caseyville, Illinois; and Caseyville Transfer Station, L.L.C</u></p> <p><u>Village of Fairmont City, Illinois v. Village of Caseyville, Illinois; and Caseyville Transfer Station, L.L.C</u> (Land-Permit Appeal, Landfill Siting Review, Third Party) – The Board granted petitioners’ joint motion to consolidate these two proceedings.</p>	<p>4-0</p>
<p>PCB 15-76</p>	<p><u>Clinton Landfill, Inc. v. IEPA</u> (Land-Permit Appeal, Landfill Siting Review) – The Board accepted for hearing this permit appeal on behalf of this DeWitt County facility. The Board reserved ruling on petitioner’s motion for consolidation, to allow the time for the Illinois Environmental Protection Agency to file a response to run.</p>	<p>4-0</p>

OTHER ITEMS

ADJOURNMENT

Moved and seconded, by a vote of 4-0, Chairman Glosser adjourned the meeting at 11:18 a.m.

I, John T. Therriault, Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on November 6, 2014, by a vote of 4-0.



John T. Therriault, Clerk
Illinois Pollution Control Board