

ILLINOIS POLLUTION CONTROL BOARD

MEETING MINUTES



April 2, 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 March 19, 2015 open meeting were approved by a vote of 5-0.

PUBLIC REMARKS

None

RULEMAKINGS

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| R14-22 | <u>In the Matter of: Proposal of Clifford-Jacobs Forging Co. for an Amendment to the Site-Specific Rule at 35 Ill. Adm. Code 901-119</u> (Noise) – No action taken. | |
| R15-13 | <u>Wastewater Pretreatment Update (July 1, 2014 through December 31, 2014)</u> (Water) – The Board adopted a proposal for public comment in this “identical-in-substance” rulemaking to amend the Board’s wastewater pretreatment regulations. | 5-0 |

ADJUSTED STANDARDS

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| AS 13-2 | <u>In the Matter of Petition of Emerald Performance Materials LLC for an Adjusted Standard from 35 Ill. Adm. Code 304.122(b) (Water)</u> – No action taken. | |
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ADMINISTRATIVE CITATIONS

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| AC 12-51 | <u>IEPA v. Northern Illinois Service Company</u> – The Board granted respondent’s motion to stay the payment of the civil penalty and hearing costs during respondent’s pending appeal to the Illinois Appellate Court. | 5-0 |
| AC 15-17 | <u>IEPA v. Bernard and Carolyn Carr and Jeffrey Yerk</u> – The Board denied respondents’ motion to dismiss. | 5-0 |
| AC 15-29 | <u>IEPA v. Eric Lane, John Rudd, Bob Whitaker, and American Demolition Corporation</u> – The Board found that these Jefferson County respondents violated Sections 21(p)(1), 21(p)(3), and 21(p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(3), and (p)(7) (2012)), and ordered respondents to pay a civil penalty of \$4,500. | 5-0 |
| AC 15-31 | <u>IEPA v. George William "Bill" Collins</u> – The Board found that this Franklin County respondent violated Sections 21(p)(1), 21(p)(3), and 21(p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(3), and (p)(7) (2012)). Of the three violations of Section 21(p): 1) one is a second or subsequent adjudicated violation of Section 21(p)(1) (<u>IEPA v. Bill Collins</u> , AC 05-09 (Sept. 2, 2004)),subject to a \$3,000 penalty; and 2) the other two—one violation each of Sections 21(p)(3) and 21(p)(7)—are subject to a \$1,500 penalty each as a first violation. The Board therefore ordered respondent to pay a civil penalty of \$6,000. | 5-0 |

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| AC 15-32 | <u>IEPA v. Jamie and Angela Hollon</u> – The Board found that these Hardin County respondents violated Sections 21(p)(1), (p)(7), and 55(k)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(7), and 55(k)(1) (2012)). The two violations of Section 21(p) are each subject to a \$3,000 penalty as second or subsequent adjudicated violations (<u>IEPA v. Jamie & Angela Hollon</u> , AC 15-03 (August 21, 2014)), and the violation of Section 55(k)(1) is subject to a \$1,500 penalty as a first violation. The Board therefore ordered respondents to pay a civil penalty of \$7,500. | 5-0 |
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Adjudicatory Cases

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| PCB 15-60 PCB 15-76 PCB 15-111 PCB 15-113 (cons.) | <u>Clinton Landfill, Inc. v. IEPA</u> <u>Clinton Landfill, Inc. v. IEPA</u> <u>Clinton Landfill, Inc. v. IEPA</u> <u>Clinton Landfill, Inc. v. IEPA</u> (Land - Permit Appeal) – The Board granted the parties’ joint motion to stay these consolidated permit appeals until April 30, 2015. | 5-0 |
| PCB 15-166 | <u>Clinton Landfill, Inc. v. IEPA</u> (Land - Permit Appeal) – The Board granted the parties’ joint motions to consolidate this permit appeal with PCB 15-60, 15-76, 15-111, 15-113, designate the record filed in PCB 15-60, <i>et al.</i> as the record in PCB 15-166, and to stay the consolidated permit appeals until April 30, 2015. | 5-0 |
| PCB 15-93 | <u>James R. Fiser v. James "Henry" Meador</u> (Noise – Enforcement, Citizen’s) – The Board dismissed this citizen’s enforcement case for complainant’s failure to file an amended complaint correcting deficiencies specified in the Board’s February 2, 2015 opinion and order. | 5-0 |
| PCB 15-114 | <u>People of the State of Illinois v. American Steamship Company</u> (Water -Enforcement) – Upon receipt of a stipulation and proposed settlement agreement and agreed motion to request relief from the hearing requirement in this water enforcement action involving a Cook County facility, the Board ordered publication of the required newspaper notice. | 5-0 |

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| PCB 15-154 | <u>People of the State of Illinois v. Fitness International, LLC and C. E. Gleeson Constructors, Inc</u> (Water – Enforcement, NPDES) – In this water enforcement action concerning a DuPage 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 Fitness International to pay a \$4,000 civil penalty and C.E. Gleeson to pay a \$6,000 civil penalty, and to cease and desist from further violations. | 5-0 |
| PCB 15-170 | <u>Homegrown Properties, Inc. (Golconda) v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Pope County facility. | 5-0 |
| PCB 15-171 | <u>Knapp Oil Company v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Saline County facility. | 5-0 |
| PCB 15-172 | <u>People of the State of Illinois v. Quality Sand Products, LLC.</u> (Air, Water -Enforcement) – Upon receipt of a complaint accompanied by 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 LaSalle County facility, the Board ordered publication of the required newspaper notice. | 5-0 |
| PCB 15-173 | <u>Chatham BP, LLC v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Hardin County facility. | 5-0 |

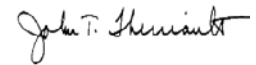
OTHER ITEMS

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| | The Board granted the Chairman’s Motion to add a location to the already scheduled Board meeting at 11:00 am on April 16, 2015. This Board 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) and the meeting will now be convened at 1:00 pm. | 5-0 |
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ADJOURNMENT

Moved and seconded, by a vote of 5-0, Chairman Glosser adjourned the meeting at 11:20 a.m.

I, John T. Therriault, Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on April 16, 2015, by a vote of 5-0.



John T. Therriault, Clerk
Illinois Pollution Control Board