

---

# Environmental Register

June 2015 - Number 732

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

---

Dr. Deanna Glosser, Chairman

Board Members:

Jennifer A. Burke, Gerald M. Keenan, Jerome D. O'Leary, and Carrie Zalewski

Illinois Pollution Control Board  
James R. Thompson Center  
100 W. Randolph, Suite 11-500  
Chicago, Illinois 60601  
(312) 814-3620  
(312) 814-6032 TDD

Illinois Pollution Control Board  
1021 North Grand Avenue East  
P.O. Box 19274  
Springfield, Illinois 62794-9274  
(217) 524-8500

Web Site: <http://www.ipcb.state.il.us>

## Letter from the Chairman

On June 4, 2015, the Board proceeded to second notice with Management of Used and Waste Tires: Proposed Amendments to 35 Ill. Adm. Code 848, R 15-19. At second notice, the Board adopted much of the Illinois Environmental Protection Agency's (IEPA) proposal that was published at first notice. Significant changes to the proposal included revisions applying management standards to a larger subset of used and waste tire facilities and differentiating between tire storage facilities and tire retreading or tire stamping and die cutting facilities for recordkeeping and reporting requirements.



On June 4, 2015, the Board accepted a proposal from IEPA and sent to first notice a rule to amend the fluoride standard in drinking water. That rule was docketed as Amendments to Primary Drinking Water Standards: 35 Ill. Adm. Code 611, R15-23. The Board reserved ruling on a request for emergency rulemaking, but agreed to expedite consideration of the rule.

On June 4, 2015, the Board also accepted a proposal docketed as Water Pollution: Proposed Amendments to 35 Ill. Adm. Code Part 309, R15-24. The proposed amendments update the regulations to “model federal regulations at 40 C.F.R. 122.6 and 122.21(d)” and, is to give the IEPA flexibility to accept NPDES permit renewal applications submitted less than 180 days before the permit is to expire.

On June 18, 2015, the Board adopted a final notice in Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System [CAWS] and Lower Des Plaines River [LDPR]: Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303, and 304, R08-9(D). The rule was generally unchanged from first notice; however, the Board made two substantive changes to allow for a delayed compliance date for both the chloride standard and the temperature standards. Those compliance dates are July 1, 2018, and interim standards apply until then. R08-9 spanned over seven years and included a record setting number of hearing days and public comments. The dedication and professionalism of the participants, as well as current and former Board Members and staff, helped to develop a water quality rule for both recreational and aquatic life that balances Clean Water Act goals with the reality of the waters of the CAWS and LDPR. The Board wishes to specifically acknowledge and thank former Board Members, the late Nicholas Melas, Andrea Moore, Thomas E. Johnson, Gary Blankenship, and Dr. Shundar Lin. A special thanks to Dr. G. Tanner Girard, who served as presiding Board Member for the docket until the appointment of Dr. Deanna Glosser. Dr. Girard is the author of Subdocket A and served as an invaluable advisor during the development of Subdockets B and C. Also we recognize the contributions of staff members Anand Rao and Alisa Liu from the technical unit, and Marie Tipsord who served as the hearing officer throughout this rulemaking and as attorney assistant to both former Chairman Dr. Girard and current Chairman, Dr. Glosser.

On June 18, 2014, the Board dismissed Concentrated Animal Feeding Operations (CAFOs): Proposed Amendments to 35 Ill. Adm. Code Parts 501, 502, and 504, R12-23 (A). The Board found that IEPA's process for developing a CAFO database and using that database to generate an inventory of CAFO's made it unnecessary at this time to adopt proposed Section 501.505. The Board concluded that it is not now necessary to implement a requirement duplicating IEPA's procedures.

Please visit the Board website at [www.ipcb.state.il.us](http://www.ipcb.state.il.us) for information on Board rulemaking dockets and contested cases.

Sincerely,

A handwritten signature in cursive script that reads "Deanna Glosser". The signature is written in black ink on a white background.

Deanna Glosser, Ph.D.  
Chairman

## Inside This Issue:

---

RULEMAKING UPDATE	P. 1
BOARD ACTIONS	P. 7
NEW CASES	P. 9
BOARD CALENDAR	P. 16

### Rulemaking Update

---

#### **Board Calls for Additional Information in Subdocket A on CAFOs, R12-23(A)**

On May 7, 2015, the Board issued an order directing the Illinois Environmental Protection Agency (IEPA) to file additional information in the rulemaking captioned Concentrated Animal Feeding Operations (CAFOs): Proposed Amendments to 35 Ill. Adm. Code Parts 501, 502, and 504, docket R12-23(A). The order set forth specific requests and directed IEPA to respond by May 28, 2015.

On August 7, 2014, in docket R12-23, the Board issued an order adopting amendments to Parts 501, 502, and 504 of its agriculture-related water pollution regulations. The same order also opened subdocket A to further consider requiring that certain CAFOs submit specified information to IEPA. In R12-23, the Board had proposed such a requirement but struck it from the rules consistent with comments from the Joint Committee on Administrative Rules (JCAR).

**Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board’s website ([www.ipcb.state.il.us](http://www.ipcb.state.il.us)) and may be downloaded without charge. Hard copies may be obtained from the Clerk’s Office (Pollution Control Board, James R. Thompson Center, 100 W. Randolph Street, Suite 11-500, Chicago, IL 60601) upon payment of reproduction fees as prescribed by the Freedom of Information Act.**

#### **Board Stays CCW Impoundment Rulemaking for 90 Days, R14-10**

On May 7, 2015, the Board granted a motion by the Illinois Environmental Protection Agency (IEPA) for a 90-day stay of the rulemaking captioned Coal Combustion Waste (CCW) Ash Ponds and Surface Impoundments at Power Generating Facilities: Proposed New 35 Ill. Adm. Code 841, docket R14-10. The Board also directed IEPA to file a status report at the end of the stay.

On October 28, 2013, IEPA filed a proposal to add Part 841—entitled “Coal Combustion Waste Surface Impoundments at Power Generating Facilities”—to the Board’s waste disposal regulations. IEPA proposed generally applicable rules establishing processes for monitoring these impoundments and for preventive response, corrective action, and closure.

IEPA's motion for the 90-day stay stated that on December 19, 2014, the United States Environmental Protection Agency (USEPA) adopted final rules concerning the disposal of coal combustion residuals (CCR) from electric utilities. IEPA indicated that the federal rules are similar but not identical to the rules proposed by IEPA in this docket, R14-10. USEPA's rules were published on April 17, 2015, and will become effective six months after that date, *i.e.*, on October 14, 2015. 80 Fed. Reg. 21302 (Apr. 17, 2015). IEPA sought to stay the R14-10 rulemaking for 90 days to give IEPA time to evaluate whether its proposal should be changed in light of the newly-adopted USEPA rules.

**Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board's website ([www.ipcb.state.il.us](http://www.ipcb.state.il.us)) and may be downloaded without charge. Hard copies may be obtained from the Clerk's Office (Pollution Control Board, James R. Thompson Center, 100 W. Randolph Street, Suite 11-500, Chicago, IL 60601) upon payment of reproduction fees as prescribed by the Freedom of Information Act.**

### **Board Proposes First-Notice Amendments to Rules on Sulfur Limitations, Nitrogen Oxides Emissions, and Controlling Emissions from Large Combustion Sources, R15-21**

On May 7, 2015, the Board proposed amendments to its air pollution regulations for first-notice publication in the *Illinois Register*. The Illinois Environmental Protection Agency (IEPA) filed the proposal in this rulemaking, which is captioned Amendments to 35 Ill. Adm. Code Part 214, Sulfur Limitations, Part 217, Nitrogen Oxides Emissions, and Part 225, Control of Emissions from Large Combustion Sources, docket R15-21. In its May 7, 2015 order, the Board granted IEPA's motion for expedited review and, consistent with that grant, proceeded to first notice without commenting on the proposal's merits.

According to IEPA, the proposal, generally, seeks to control emissions of sulfur dioxide (SO<sub>2</sub>) in and around areas designated as "nonattainment" for the 2010 SO<sub>2</sub> National Ambient Air Quality Standard (NAAQS). IEPA stated that portions of its proposal are intended to satisfy Illinois' obligation to submit a State Implementation Plan (SIP) to the United States Environmental Protection Agency addressing requirements under Sections 172, 191, and 192 of the Clean Air Act. IEPA further stated that the proposed amendments would (1) establish sulfur content limitations for liquid fuels used by fuel combustion emission units throughout the State; (2) establish SO<sub>2</sub> emission limitations for specific sources impacting an SO<sub>2</sub> nonattainment area (NAA); (3) address the conversion of certain coal-fired electric generating units (EGUs)—located in or near an SO<sub>2</sub> NAA—to fuel other than coal; and (4) correct or update various rules.

Public comments should identify this docket number, R15-21, and must be filed with the Clerk of the Board. Public comments may be filed at the following address:

Pollution Control Board  
James R. Thompson Center  
100 W. Randolph Street, Suite 11-500  
Chicago, IL 60601

Alternatively, public comments may be filed electronically through the Clerk's Office On-Line (COOL) at [www.ipcb.state.il.us](http://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 website and may be downloaded without charge. Hard copies may be obtained from the Clerk's Office (Pollution Control Board, James R. Thompson Center, 100 W. Randolph Street, Suite 11-500, Chicago, IL 60601) upon payment of reproduction fees as prescribed by the Freedom of Information Act.**

For more information, please contact Daniel Robertson at 312-814-6931 or [daniel.robertson@illinois.gov](mailto:daniel.robertson@illinois.gov).

## **Board Proposes Second First-Notice Amendments to its Procedural Rules, R15-20**

On May 7, 2015, the Board proposed procedural rule amendments for a second first-notice publication in the *Illinois Register*. The rulemaking is captioned Procedural Rules Amendments: Proposed Amendments to 35 Ill. Adm. Code 101, 103, 104, 106, 108, docket R15-20. On February 19, 2015, the Board had adopted first-notice amendments to its procedural rules. However, because additional substantive amendments were needed, the Board's May 7, 2015 order proposed the amendments for first-notice publication a second time. The proposal would now amend the Board's procedural rules on out-of-state attorneys, variances, administrative citations, and service of filings.

Specifically, the Board proposed revising the process for allowing out-of-state attorneys to appear *pro hac vice* in a Board adjudicatory proceeding. The procedural rule amendment would require those attorneys to comply with Illinois Supreme Court Rule 707, which establishes a procedure by which an eligible out-of-state attorney may appear as counsel and provide legal services in a proceeding without order of the tribunal. In addition, to implement Public Act 98-0822, the Board proposed to amend its procedural rules on variances. Further, the Board proposed amending its procedural rules on administrative citations to accommodate citations filed pursuant to the Public Water Supply Operations Act or the Electronic Products Recycling and Reuse Act. The rulemaking proposal also continued to update and clarify the Board's procedural rules for all forms of service.

Public comments should identify this docket number, R15-20, and must be filed with the Clerk of the Board. Public comments may be filed at the following address:

Pollution Control Board  
James R. Thompson Center  
100 W. Randolph Street, Suite 11-500  
Chicago, IL 60601

Alternatively, public comments may be filed electronically through the Clerk's Office On-Line (COOL) at [www.ipcb.state.il.us](http://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 website and may be downloaded without charge. Hard copies may be obtained from the Clerk's Office (Pollution Control Board, James R. Thompson Center, 100 W. Randolph Street, Suite 11-500, Chicago, IL 60601) upon payment of reproduction fees as prescribed by the Freedom of Information Act.**

For more information, please contact Daniel Robertson at 312-814-6931 or [daniel.robertson@illinois.gov](mailto:daniel.robertson@illinois.gov).

### **Board Extends Second-Notice Period and Reopens Comment Period in Subdocket D on CAWS and LDPR, R08-9(D)**

On March 19, 2015, the Board adopted second-notice amendments for review by the Joint Committee on Administrative Rules (JCAR) in the rulemaking captioned Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System (CAWS) and Lower Des Plaines River (LDPR): Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303, and 304, docket R08-9(D). On May 12, 2015, the Board agreed with JCAR to extend the second-notice period to allow the Board to receive additional public comment on temperature. The Board therefore issued an order on May 21, 2015, reopening the comment period until June 1, 2015.

**Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board's website ([www.ipcb.state.il.us](http://www.ipcb.state.il.us)) and may be downloaded without charge. Hard copies may be obtained from the Clerk's Office (Pollution Control Board, James R. Thompson Center, 100 W. Randolph Street, Suite 11-500, Chicago, IL 60601) upon payment of reproduction fees as prescribed by the Freedom of Information Act.**

### **Board Closes Subdocket E on Bubbly Creek, R08-9(E)**

On May 21, 2015, the Board adopted an order closing subdocket E, which concerns water quality standards for Bubbly Creek (the South Fork of the South Branch Chicago River). The rulemaking is captioned Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System (CAWS) and Lower Des Plaines River (LDPR): Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303, and 304, docket R08-9(E).

The Board opened subdocket E in February 2013 as jointly requested by the Metropolitan Water Reclamation District of Greater Chicago (District) and by Environmental Law and Policy Center, Friends of the Chicago River, Sierra Club Illinois Chapter, Natural Resources Defense Council, and Openlands (Environmental Groups). The Illinois Environmental Protection Agency supported the District and the Environmental Groups' request for deferring a decision on Bubbly Creek while the U.S. Army Corps of Engineers (USACE) completed an ecosystem restoration study.

In its April 16, 2015 order, the Board took official notice of the USACE website, which provided the status of a “draft Feasibility Report” for restoring Bubbly Creek. The Board observed that the project could take at least several years to complete. The Board’s order also noted that the Board had proposed retaining water quality standards for Bubbly Creek in subdocket D. Under these circumstances, the Board stated that it anticipated closing subdocket E at its May 21, 2015 meeting. The Board added that when the USACE study is complete, any potential amendments to the Board’s rules could be filed in a new docket, at which time the participants could seek to incorporate any relevant portions of the R08-9 record into the record of the new docket. However, before proceeding to close subdocket E, the Board gave participants until May 15, 2015, to comment on the proposed closing.

As noted in its May 21, 2015 order, the Board received only one public comment in response to its April 16, 2015 order. That public comment was filed by the District, indicating that closing subdocket E was acceptable. Based upon the District’s comment, the Board’s retention of water quality standards for Bubbly Creek in subdocket D, and USACE’s potential timeframe for completing the Bubbly Creek project, the Board closed subdocket E.

**Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board’s website ([www.jpcc.state.il.us](http://www.jpcc.state.il.us)) and may be downloaded without charge. Hard copies may be obtained from the Clerk’s Office (Pollution Control Board, James R. Thompson Center, 100 W. Randolph Street, Suite 11-500, Chicago, IL 60601) upon payment of reproduction fees as prescribed by the Freedom of Information Act.**

## Board Actions

---

**June 4, 2015**

**Via videoconference**

**Springfield and Chicago, Illinois**

### Rulemakings

- R08-9(D)**      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      4-0  
Member Keenan present  
(Water) – In response to public comments received during the extended second notice period, the Board entered an order declining to suggest to the Joint Committee on Administrative Rules (JCAR) any changes in the thermal standards or delayed effective date. But, the Board asked JCAR to consider agreeing to a change proffered by one participant, as discussed in the order.
- R12-9(B)**      In the Matter of: Proposed Amendments to Clean Construction or Demolition Debris (CCDD) Fill Operations: Proposed Amendments to 35 Ill. Adm. Code 1100  
(Land) – No action taken.
- R12-23(A)**      In the Matter of: Concentrated Animal Feeding Operations (CAFOs): Proposed Amendments to 35 Ill. Adm. Code Parts 501, 502, and 504 (Water) – No action taken.
- R15-19**      In the Matter of: Management of Used and Waste Tires: Proposed Amendments to 35 Ill. Adm. Code 848      5-0  
(Land-Tires) – The Board adopted a second notice opinion and order in this rulemaking to amend the Board’s regulations governing the management of used and waste tires.
- R15-23**      In the Matter of: Amendments to Primary Drinking Water Standards: 35 Ill. Adm. Code 611      5-0  
Member Burke concurred  
(Public Water Supply) – The Board accepted for hearing and sent to first notice without commenting on the merits the Agency’s May 20, 2015 proposal to amend the Board’s public water supply regulations. The Board granted the motion for expedited review but reserved ruling on the motion to adopt an emergency rule.
- R15-24**      In the Matter of: Water Pollution: Proposed Amendments to 35 Ill. Adm. Code Part 309      5-0

(Water) – The Board accepted for hearing the Agency’s June 1, 2015 proposal to amend the Board’s water pollution regulations.

## Adjusted Standards

**AS 15-2**      In the Matter of: Petition of Apex Material Technologies, LLC for an Adjusted Standard From Portions of 35 Ill. Adm. Code 807.104 and 810-103 OR in the Alternative, A Finding of Inapplicability  
(Water) – No action taken.

## Administrative Citations

**AC 15-34**      County of Perry v. Michael and Mary Freund – The Board found that these Perry County respondents violated Sections 21(p)(1) and 21(p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(7) (2014)), and ordered respondents to pay a civil penalty of \$3,000. 5-0

## Adjudicatory Cases

**PCB 14-2**      People of the State of Illinois v. Demolition Excavating Group, Inc. an Illinois corporation, Rhonda Fisher, and Edward Fisher (Land – Enforcement) – The Board denied respondents’ motion to reconsider the Board’s March 19, 2015 opinion and order. 5-0

**PCB 15-60**      Clinton Landfill, Inc. v. IEPA 5-0  
**PCB 15-76**      Clinton Landfill, Inc. v. IEPA  
**PCB 15-111**      Clinton Landfill, Inc. v. IEPA  
**PCB 15-113**      Clinton Landfill, Inc. v. IEPA  
**PCB 15-166**      (Land - Permit Appeal) – The Board granted the parties’ joint motions to consolidate these previously consolidated permit appeals with PCB 15-194 and 15-194, designated the record filed in PCB 15-60, *et al.* as the record in PCB 15-194 and 15-195, and granted the joint motion to stay the consolidated permit appeals until June 30, 2015.  
**PCB 15-194**  
**PCB 15-195**  
(cons.)

**PCB 15-77**      Tri-Star Petroleum, LLC v. IEPA 5-0  
(UST Appeal) – The Board granted petitioner’s motion for voluntary dismissal of this underground storage tank appeal.

<b>PCB 15-119</b>	<u>Attorney Land Trust #1 v. IEPA</u> (UST Appeal) – The Board granted petitioner’s motion for voluntary dismissal of this underground storage tank appeal.	5-0
<b>PCB 15-139</b>	<u>Susan M. Bruce v. Highland Hills Sanitary District</u> (Water – Enforcement, Citizens) – The Board granted the respondent’s motion to strike or dismiss the complaint. The Board also granted complainant’s request to file an amended complaint addressing the deficiencies specified in the order, which complainant must file on or before July 6, 2015.	5-0
<b>PCB 15-161</b>	<u>Darji Enterprise, Inc. v. IEPA</u> (UST-Permit Appeal, 90-Day Ext.) – Having previously granted a request for a 90-day extension, the Board dismissed this matter because no underground storage tank appeal was filed on behalf of this Jackson County facility.	5-0
<b>PCB 15-194</b>	<u>Clinton Landfill, Inc. v. IEPA</u> (Mod. 52) (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, 15-166, and 15-195, designated the record filed in PCB 15-60, <i>et al.</i> as the record in PCB 15-194 and 15-195, and granted the joint motion to stay the consolidated permit appeals until June 30, 2015..	5-0
<b>PCB 15-195</b>	<u>Clinton Landfill, Inc. v. IEPA</u> (Mod. 53) (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, 15-166, and 15-194, designated the record filed in PCB 15-60, <i>et al.</i> as the record in PCB 15-194 and 15-195, and granted the joint motion to stay the consolidated permit appeals until June 30, 2015..	5-0
<b>PCB 15-200</b>	<u>People of the State of Illinois v. Equity Lifestyle Properties, Inc. d/b/a Willow Lake Estates</u> (Water – Enforcement) – The Board accepted for hearing this water enforcement action concerning a facility located in Kane County.	5-0

- PCB 15-201**     People of the State of Illinois v. Terry Stahly     5-0  
 (Air – 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 enforcement action involving a McLean County facility, the Board ordered publication of the required newspaper notice.
- PCB 15-202**     IPH, LLC and Illinois Power Resources Generating, LLC (D.D. Edwards Power Plant) v. IEPA     5-0  
 (Water – Permit Appeal, NPDES) – The Board accepted for hearing this permit appeal on behalf of this Peoria County facility. The Board reserved ruling on petitioner’s motion for stay of the contested permit conditions, to allow the time for IEPA to file a response to run.

**June 18, 2015**  
**Chicago, Illinois**

**Rulemakings**

- R08-9(D)**     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     5-0  
 (Water) – The Board adopted a final opinion and order in this rulemaking proposal to amend the Board’s water pollution regulations.
- R12-9(B)**     In the Matter of: Proposed Amendments to Clean Construction or Demolition Debris (CCDD) Fill Operations: Proposed Amendments to 35 Ill. Adm. Code 1100     5-0  
 (Land) – No action taken.
- R12-23(A)**     In the Matter of: Concentrated Animal Feeding Operations (CAFOs): Proposed Amendments to 35 Ill. Adm. Code Parts 501, 502, and 504     5-0  
 (Water) – The Board adopted a final opinion and order declining to proceed to first notice with the proposed amendments to the Board’s pollution regulations related to livestock facilities and closing this subdocket.     Chairman Glosser concurred

## Adjusted Standards

**AS 15-2**      In the Matter of: Petition of Apex Material Technologies, LLC for an Adjusted Standard From Portions of 35 Ill. Adm. Code 807.104 and 810-103 OR in the Alternative, A Finding of Inapplicability      5-0  
Member Keenan concurred  
(Water) – The Board denied petitioner’s request for a finding of inapplicability and alternative request for an adjusted standard.

## Administrative Citations

**AC 15-2**      IEPA v. Jim Barnes d/b/a Barnes Trucking & Excavation – The Board granted complainant’s motion for voluntary dismissal of this administrative citation and closed the docket.      5-0

**AC 15-36**      IEPA v. John E. Laverdiere and Laverdiere Construction, Inc. – The Board accepted respondents’ petition for review involving a McDonough County facility.      5-0

## Adjudicatory Cases

**PCB 10-86**      People of the State of Illinois v. Illinois Fuel Company, LLC  
(Water – Enforcement, NPDES) – No action taken.

**PCB 12-135**      Dynegy Midwest Generation, LLC v. IEPA  
(Air – Variance) – No action taken.

**PCB 14-27**      Congress Development Company v. IEPA      5-0  
(Air – Permit Appeal) – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal.

**PCB 15-162**      Tonya Spicuzza v. IEPA      5-0  
(UST-Permit Appeal, 90-Day Ext.) – Having previously granted a request for a 90-day extension, the Board dismissed this matter because no underground storage tank appeal was filed on behalf of this Hamilton County facility.

**PCB 15-203**      Kincaid Generation, L.L.C. v. IEPA      5-0  
(Water – Permit Appeal, NPDES) – The Board accepted for hearing this permit appeal on behalf of this Christian County facility. The Board reserved ruling on petitioner’s motion for stay of the contested permit conditions, to allow the time for IEPA to file a response to run.

## New Cases

---

### June 4, 2015 Board Meeting

**R15-23** In the Matter of: Amendments to Primary Drinking Water Standards: 35 Ill. Adm. Code 611

(Public Water Supply) – The Board accepted for hearing and sent to first notice without commenting on the merits the Agency’s May 20, 2015 proposal to amend the Board’s public water supply regulations. The Board granted the motion for expedited review but reserved ruling on the motion to adopt an emergency rule.

**PCB 15-200** People of the State of Illinois v. Equity Lifestyle Properties, Inc. d/b/a Willow Lake Estates

(Water – Enforcement) – The Board accepted for hearing this water enforcement action concerning a facility located in Kane County.

**PCB 15-201** People of the State of Illinois v. Terry Stahly

(Air – 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 enforcement action involving a McLean County facility, the Board ordered publication of the required newspaper notice.

**PCB 15-202** IPH, LLC and Illinois Power Resources Generating, LLC (D.D. Edwards Power Plant) v. IEPA

(Water – Permit Appeal, NPDES) – The Board accepted for hearing this permit appeal on behalf of this Peoria County facility. The Board reserved ruling on petitioner’s motion for stay of the contested permit conditions, to allow the time for IEPA to file a response to run.

### June 18, 2015

**PCB 15-203** Kincaid Generation, L.L.C. v. IEPA

(Water – Permit Appeal, NPDES) – The Board accepted for hearing this permit appeal on behalf of this Christian County facility. The Board reserved ruling on petitioner’s motion for stay of the contested permit conditions, to allow the time for IEPA to file a response to run.

**PCB 15-204** Exelon Generation, LLC (Dresden Nuclear Generating Stations) v. IEPA – No action taken.

## Calendar

<b>6/4/2015</b> <b>11:00 AM</b>	<b>Illinois Pollution Control Board Meeting</b>		<b>Chicago</b> <b>James R. Thompson Center</b> <b>100 W. Randolph Street</b> <b>Chicago</b>
<b>6/18/2015</b> <b>11:00 AM</b>	<b>Illinois Pollution Control Board Meeting</b>		<b>Chicago</b> <b>James R. Thompson Center</b> <b>100 W. Randolph Street</b> <b>Chicago</b>
<b>7/2/2015</b> <b>11:00 AM</b>	R15-22	<u>In the Matter of: Public Water Supplies: Proposed Amendments to 35 Ill. Adm. Code Parts 601, 602, and 603</u>	James R. Thompson Center Room 11-512 100 W. Randolph Chicago
<b>7/8/2015</b> <b>9:00 AM</b>	R15-21	<u>In the Matter of: Amendments to 35 Ill. Adm. Code Part 214, Sulfur Limitations, Part 217, Nitrogen Oxides Emissions, and Part 225, Control of Emissions from Large Combustion Sources</u>	Illinois Environmental Protection Agency, Sangamo Conference Room, 1021 N. Grand Ave E, (North Entrance) Springfield
<b>7/9/2015</b> <b>11:00 AM</b>	<b>Illinois Pollution Control Board Meeting</b>		<b>Videoconference</b> <b>Chicago/Springfield</b> <b>James R. Thompson Center</b> <b>Hearing Room 11-512</b> <b>100 W. Randolph Street</b> <b>Chicago</b> <b>And</b> <b>1021 N. Grand Avenue East</b> <b>Oliver Holmes Conference</b> <b>Room 2012 N</b> <b>Springfield</b>
<b>7/14/2015</b> <b>10:00 AM</b>	PCB 15-110	<u>Village of Carlock v. IEPA</u>	White Oak Township Community Building 202 North Lincoln Street, Carlock, IL
<b>7/22/2015</b> <b>10:00 AM</b>	AC 15-17	<u>Bernard and Carolyn Carr and Jeffrey Yerk</u>	Fulton County Courthouse Room 313 100 N. Main Street Lewistown, IL
<b>7/23/2015</b> <b>11:00 AM</b>	<b>Illinois Pollution Control Board Meeting</b>		<b>Chicago</b> <b>James R. Thompson Center</b> <b>100 W. Randolph Street</b> <b>Chicago</b>

<b>7/29/2015 10:00 AM</b>	R15-21	<u>In the Matter of: Amendments to 35 Ill. Adm. Code Part 214, Sulfur Limitations, Part 217, Nitrogen Oxides Emissions, and Part 225, Control of Emissions from Large Combustion Sources</u>	Will County Executive Office Second Floor County Board Chambers 302 North Chicago Street Joliet Illinois
<b>7/30/2015 1:00 PM</b>	R15-23	<u>In the Matter of: Amendments to Primary Drinking Water Standards: 35 Ill. Adm. Code 611</u>	Illinois Environmental Protection Agency, Sangamo Conference Room, 1021 N. Grand Ave E, (North Entrance) Springfield
<b>8/4/2015 10:30 AM</b>	R15-21	<u>In the Matter of: Amendments to 35 Ill. Adm. Code Part 214, Sulfur Limitations, Part 217, Nitrogen Oxides Emissions, and Part 225, Control of Emissions from Large Combustion Sources</u>	Pekin City Hall 111 South Capitol Street, Council Chambers Pekin Illinois
<b>8/6/2015 11:00 AM</b>	<b>Illinois Pollution Control Board Meeting</b>		<b>Chicago James R. Thompson Center 100 W. Randolph Street Chicago</b>
<b>8/11/2015 10:00 AM</b>	PCB 15-186	<u>Sharon Burgess v. IEPA</u>	Illinois Pollution Control Board Hearing Room, 1021 North Grand Avenue East, North Entrance, Springfield, IL
<b>8/17/2015 11:00 AM</b>	R15-22	<u>In the Matter of: Public Water Supplies: Proposed Amendments to 35 Ill. Adm. Code Parts 601, 602, and 603</u>	Illinois Environmental Protection Agency, Chestnut Room, 1021 N. Grand Ave E, (North Entrance) Springfield
<b>8/19/2015 1:00 PM</b>	R15-23	<u>In the Matter of: Amendments to Primary Drinking Water Standards: 35 Ill. Adm. Code 611</u>	James R. Thompson Center Room 2-025 100 W. Randolph Chicago
<b>8/25/2015 11:00 AM</b>	R15-24	<u>In the Matter of: Water Pollution: Proposed Amendments to 35 Ill. Adm. Code Part 309</u>	Illinois Pollution Control Board, Conference Room 1244, 1021 North Grand Avenue East, North Entrance, Springfield, IL
<b>8/20/2015 11:00 AM</b>	<b>Illinois Pollution Control Board Meeting</b>		<b>Chicago James R. Thompson Center 100 W. Randolph Street Chicago</b>

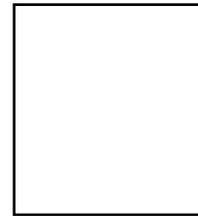
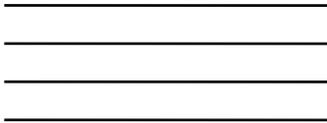
<b>9/3/2015</b> <b>11:00 AM</b>	<b>Illinois Pollution Control Board Meeting</b>		<b>Chicago</b> <b>James R. Thompson Center</b> <b>100 W. Randolph Street</b> <b>Chicago</b>
<b>9/17/2015</b> <b>11:00 AM</b>	<b>Illinois Pollution Control Board Meeting</b>		<b>Chicago</b> <b>James R. Thompson Center</b> <b>100 W. Randolph Street</b> <b>Chicago</b>
<b>9/24/2015</b> <b>11:00 AM</b>	R15-24	<u>In the Matter of: Water Pollution:</u> <u>Proposed Amendments to 35 Ill.</u> <u>Adm. Code Part 309</u>	James R. Thompson Center Room 9-034 100 W. Randolph Chicago



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.

-----CUT HERE-----



Illinois Pollution Control Board  
Environmental Register Coordinator  
1021 N. Grand Avenue East  
P.O. Box 19274  
Springfield, Illinois 62794-9274