

# ILLINOIS POLLUTION CONTROL BOARD

## MEETING MINUTES

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**February 4, 2016**

- Regular Board Meeting: 11:00 a.m.
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### **REGULAR BOARD MEETING MINUTES**

**February 4, 2016**

**11:00 a.m.**

#### **Videoconference**

##### **Chicago**

100 W. Randolph Street  
Chicago, IL  
**Room 11-512**

##### **Springfield**

1021 N. Grand Avenue East  
Springfield, IL  
**Conference Room 1244 N, First  
Floor**

#### **ANNOUNCEMENTS**

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Chairman Keenan welcomed members of the public and staff.

#### **ROLL CALL**

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The Clerk of the Board called the roll. All five Board Members answered present.

#### **PUBLIC REMARKS**

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None.

#### **APPROVAL OF MINUTES**

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The minutes of the January 21, 2016 Regular Meeting and Brown Bag Seminar were approved by a vote of 5-0.

## RULEMAKINGS

<b>R16-10</b>	<u>National Ambient Air Quality Standards, USEPA Amendments (July 1, 2015, through December 31, 2015)</u> (Air) – The Board dismissed this reserved identical-in-substance docket because the relevant United States Environmental Protection Agency actions regarding its ambient air quality standards during the update period of July 1, 2015 through December 31, 2015 were included in the Board’s proposal for public comment in the NAAQS update docket for the period January 1, 2015 through June 30, 2015.	5-0
<b>R16-11</b>	<u>Definition of VOM Update, USEPA Amendments (July 1, 2015, through December 31, 2015)</u> (Air) – 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, 2015 through December 31, 2015.	5-0
<b>R16-12</b>	<u>SDWA Update, USEPA Amendments (July 1, 2015, through December 31, 2015)</u> (Water) – 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, 2015 through December 31, 2015.	5-0
<b>R16-13</b>	<u>UIC Update, USEPA Amendments (July 1, 2015, through December 31, 2015)</u> (Land) – 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, 2015 through December 31, 2015.	5-0
<b>R16-14</b>	<u>RCRA Subtitle D (Municipal Solid Waste Landfill) Update, USEPA Amendments (July 1, 2015, through December 31, 2015)</u> (Land) – 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, 2015 through December 31, 2015.	5-0

<b>R16-15</b>	<u>RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (July 1, 2015, through December 31, 2015) (Land)</u> – The Board dismissed this reserved identical-in-substance docket because the relevant United States Environmental Protection Agency actions regarding its hazardous waste regulations during the update period of July 1, 2015 through December 31, 2015 will be included in the Board’s proposal for public comment in the RCRA Subtitle C update docket for the period January 1, 2015 through June 30, 2015.	5-0
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**ADJUSTED STANDARDS**

<b>AS 15-3</b>	<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 (Water)</u> – The Board granted petitioner an adjusted standard with conditions from the groundwater quality standards at its Madison County facility.	5-0
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**ADMINISTRATIVE CITATIONS**

<b>AC 15-26</b>	<u>IEPA v. Joseph DeRosa &amp; Gwen A. Griffitts and DeRosa Autobody</u> – The Board entered a final opinion and order requiring respondents to pay hearing costs of the Illinois Environmental Protection Agency and the Board in the amount of \$489.25 and a civil penalty of \$3,000. This order follows the Board's interim order of November 19, 2015, which found that these respondents had violated Sections 21(p)(1) and 55(k)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1), 55(k)(1) (2014)).	5-0
<b>AC 16-5</b>	<u>IEPA v. Ronald W. &amp; Susan A. Falmier</u> – The Board accepted respondents’ amended petition for review involving a Williamson County facility.	5-0
<b>AC 16-7</b>	<u>IEPA v. James Reichert Limited Family Partnership</u> – The Board accepted respondent’s petition for review involving a Williamson County facility.	5-0
<b>AC 16-8</b>	<u>IEPA v. Greg Lingle d/b/a GTS, Inc., and Tereasa Baker</u> – The Board found that these Johnson County respondents violated Sections 21(p)(1), 21(p)(2), 21(p)(3), 21(p)(7), and 55(k)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1), 21(p)(2), 21(p)(3), 21(p)(7), 55(k)(1) (2014)), and ordered respondents to pay a civil penalty of \$7,500.	5-0

## ADJUDICATORY CASES

<b>PCB 04-66</b>	<u>Premcor Refining Group v. IEPA</u> (Land-Permit Appeal, RCRA) – No action taken.	
<b>PCB 15-88</b>	<u>Ameren Missouri and Raccoon Creek Energy Center v. IEPA</u> (Air-Permit Appeal, CAAPP) – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal.	5-0
<b>PCB 15-89</b>	<u>Ameren Missouri and Goose Creek Energy Center v. IEPA</u> (Air-Permit Appeal, CAAPP) – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal.	5-0
<b>PCB 15-134</b>	<u>Ameren Missouri and Pinkneyville Energy Center v. IEPA</u> (Air-Permit Appeal, CAAPP) –The Board granted the parties’ joint motion to stay this permit appeal until August 2, 2016.	5-0
<b>PCB 15-186</b>	<u>Sharon Burgess v. IEPA</u> (UST Appeal) – The Board exercised its discretion under Section 57.8(l) of the Act (415 ILCS 5/57.8(l) (2012)) and directed the Illinois Environmental Protection Agency’s (Agency) to reimburse petitioner \$11,304.16 in legal fees and costs from the UST Fund. On November 5, 2016, the Board reversed the Agency’s March 19, 2015 decision modifying the Corrective Action Plan and Budget submitted by petitioner. The Board remanded the Corrective Action Plan and Budget to the Agency for issuance with the reimbursement amounts corrected.	5-0
<b>PCB 16-74</b>	<u>Newcomer Farms - Lanark v. IEPA</u> (Water-Tax Certification) – The Board found and certified that specified facilities of Newcomer Farms located in Carroll County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2014)).	5-0
<b>PCB 16-75</b>	<u>Robert Young v. IEPA</u> (Water-Tax Certification) – The Board found and certified that specified facilities of Robert Young located in Sangamon County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2014)).	5-0

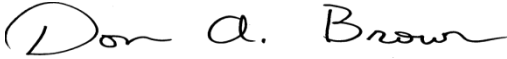
<b>PCB 16-76</b>	<u>Environmental Recycling and Disposal Services, Inc. v. Will County, Illinois, Will County Board, Waste Management of Illinois, Inc.</u> (Landfill Siting Review-Permit Appeal) – The Board accepted for hearing this third-party pollution control facility siting appeal involving a site in Will County.	5-0
<b>PCB 16-77</b>	<u>O'Leary Farms - Viola (Property ID No. 11-11-21-300-005) v. IEPA</u> (Water-Tax Certification) – The Board found and certified that specified facilities of O'Leary Farms located in Mercer County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2014)).	4-0 O'Leary abstained
<b>PCB 16-78</b>	<u>O'Leary Farms - Viola (Property ID No. 11-11-32-300-005) v. IEPA</u> (Water-Tax Certification) – The Board found and certified that specified facilities of O'Leary Farms located in Mercer County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2014)).	4-0 O'Leary abstained
<b>PCB 16-79</b>	<u>People of the State of Illinois v. GBC Metals, LLC d/b/a Olin Brass</u> (Land-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 land enforcement action involving an Alton County facility, the Board ordered publication of the required newspaper notice.	5-0

**OTHER ITEMS**  
**ADJOURNMENT**

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Moved and seconded, by a vote of 5-0, Chairman Keenan adjourned the regular meeting.

I, Don Anthony Brown, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on February 4, 2016, by a vote of 5-0.

  
Don Anthony Brown, Assistant Clerk  
Illinois Pollution Control Board