

# ILLINOIS POLLUTION CONTROL BOARD

## MEETING MINUTES

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**February 19, 2015**

**11:00 a.m.**

**Chicago**  
100 W. Randolph Street  
Chicago, IL  
**Room 9-040**

### **ANNOUNCEMENTS**

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Chairman Glosser welcomed members of the public and staff.

### **ROLL CALL**

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

### **APPROVAL OF MINUTES**

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The minutes of the February 5, 2015 open meeting were approved by a vote of 4-0.

### **PUBLIC REMARKS**

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None

### **RULEMAKINGS**

<b>R08-9(D)</b>	<u>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</u> (Water) – No action taken.	
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<b>R14-23</b>	<u>In the Matter of: Standards and Requirements for Potable Water Well Surveys and Community Relations Activities Performed in Conjunction With Agency Notices of Threats From Contamination: Proposed Amendments to 35 Ill. Adm. Code 1600</u> (Land) – The Board adopted a final opinion and order in this rulemaking to amend the Board’s Right to Know regulations.	4-0
<b>R15-6</b>	<u>SDWA Update, USEPA Amendments (January 1, 2014 through June 30, 2014)</u> (Water) – The Board adopted a final opinion and order in this “identical-in-substance” rulemaking to amend the Board’s drinking water regulations.	4-0
<b>R15-10</b>	<u>In the Matter of: Amendments to the Board’s Administrative Rules, 2 Ill. Adm. Code 2175</u> (Procedural) – The Board accepted the Joint Committee on Administrative Rules’ recommendation in this rulemaking to amend the Board’s administrative rules.	4-0
<b>R15-20</b>	<u>In the Matter of: Procedural Rule Amendments: Proposed Amendments to 35 Ill. Adm. Code 101, 108</u> (Procedural) – The Board adopted a first notice opinion and order in this rulemaking to amend the Board’s procedural rules.	4-0

**ADJUSTED STANDARDS**

<b>AS 14-3</b>	<u>In the Matter of: Petition of Brickyard Disposal &amp; Recycling, Inc. for an Adjusted Standard Pursuant to 35 Ill. Adm. Code 814.402(B)(3) and From 35 Ill. Adm. Code 810.103, 811.318(b)(3), and 811.320(c)</u> (Land) – No action taken.	
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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 accepted respondents’ petition for review involving a Sangamon County facility.	4-0
<b>AC 15-27</b>	<u>IEPA v. Lee Farms Excavating</u> – The Board found that this Ford County respondent violated Sections 21(p)(1), (p)(3), (p)(7) and 55(k)(1) of the Environmental Protection Act (415 ILCS 5/21 (p)(1), (p)(3), (p)(7) and 55(k)(1) (2012)), and ordered respondent to pay a civil penalty of \$6,000.	4-0

## ADJUDICATORY CASES

<p><b>PCB 13-15</b></p>	<p><u>Sierra Club, Environmental Law and Policy Center, Prairie Rivers Network, and Citizens Against Ruining the Environment v. Midwest Generation</u> (Water-Enforcement, Citizens) – The Board granted complainants’ motions for leave to file a reply and to file an amended complaint.</p>	<p>4-0</p>
<p><b>PCB 14-24</b></p>	<p><u>SABIC Innovative Plastics US LLC v. IEPA</u> (Water-Permit Appeal, NPDES) – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal.</p>	<p>4-0</p>
<p><b>PCB 15-14</b></p>	<p><u>PAK-AGS, Inc. v. IEPA</u> (UST-Permit Appeal) – No action taken.</p>	
<p><b>PCB 15-65</b>  <b>PCB 15-69</b> (cons.)</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> <u>Village of Fairmont City, Illinois v. Village of Caseyville, Illinois Board of Trustees and Caseyville Transfer Station, L.L.C.</u> (Land, Pollution Control Facility Siting Review, Third Party) – The Board denied Roxana’s and Fairmont City’s motions to reconsider the Board’s December 18, 2014 opinion and order.</p>	<p>4-0</p>
<p><b>PCB 15-84</b></p>	<p><u>Allen McAfee v. IEPA</u> (UST-Permit Appeal) – No action taken.</p>	
<p><b>PCB 15-91</b></p>	<p><u>Phillips 66 Company 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 Cook County facility.</p>	<p>4-0</p>
<p><b>PCB 15-93</b></p>	<p><u>James R. Fiser v. James "Henry" Meador</u> (Noise-Enforcement) – Finding the complaint “frivolous,” the Board granted respondent’s motion to dismiss, but allowed complainant to file within 30 days an amended complaint correcting noted deficiencies.</p>	<p>4-0</p>

<b>PCB 15-116</b>	<u>People of the State of Illinois v. Spaeth Welding, Inc.</u> (Land -Enforcement) – In this land enforcement action concerning a Clinton 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 \$10,000.00, and to cease and desist from further violations.	4-0
<b>PCB 15-156</b>	<u>People of the State of Illinois v. Fitness International, LLC, and C. E. Gleeson Constructors, Inc.</u> (Air-Enforcement, CAAPP) – 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 Marshall County facility, the Board ordered publication of the required newspaper notice.	4-0

**OTHER ITEMS**

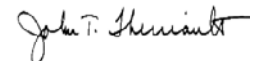
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**ADJOURNMENT**

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Moved and seconded, by a vote of 4-0, Chairman Glosser adjourned the meeting at 11:15 a.m.

I, John T. Therriault, Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on March 5, 2015, by a vote of 4-0.



John T. Therriault, Clerk  
Illinois Pollution Control Board