

ILLINOIS POLLUTION CONTROL BOARD

MEETING MINUTES



September 17, 2015

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

Chairman Keenan welcomed members of the public and staff. Chairman Keenan announced the October 1, 2015 Board meeting will be rescheduled to 1:00 pm instead of 11:00 am. In addition, all Board meetings for the remainder of the 2015 calendar year will be held by video conference at the Chicago and Springfield Board locations.

ROLL CALL

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

PUBLIC REMARKS

None

APPROVAL OF MINUTES

The minutes of the September 3, 2015 open meeting were approved by a vote of 5-0.

RULEMAKINGS

R14-10	<u>In the Matter of: Coal Combustion Waste (CCW) Ash Ponds and Surface Impoundments at Power Generating Facilities:</u> <u>Proposed New 35 Ill. Adm. Code 841</u> (Water) – No action taken.	
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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 (Air) – No action taken.</u>	
R15-23	<u>In the Matter of: Amendments to Primary Drinking Water Standards: 35 Ill. Adm. Code 611</u> (Public Water Supply) – The Board adopted a second notice opinion and order in this rulemaking to amend the Board’s public water supply regulations.	5-0

ADJUSTED STANDARDS

ADMINISTRATIVE CITATIONS

ADJUDICATORY CASES

PCB 13-12	<u>People of the State of Illinois v. NACME Steel Processing, LLC</u> (Air – Enforcement) – In this air enforcement action concerning a Cook 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 \$7,500 civil penalty and to cease and desist from further violations.	5-0
PCB 15-200	<u>People of the State of Illinois v. Equity Lifestyle Properties, Inc. d/b/a Willow Lake Estates</u> (Water – Enforcement) – In this water enforcement action concerning a Kane 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 \$5,000 civil penalty and to cease and desist from further violations.	5-0
PCB 16-35	<u>People of the State of Illinois v. American Wood Recycling, Inc.</u> (Land – Enforcement) – In this land enforcement action concerning a Cook 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 \$6,000 civil penalty and to cease and desist from further violations.	5-0


PCB 16-36	<u>People of the State of Illinois v. Francisco Ramirez and Kim Ramirez, individually and d/b/a Elizabeth Used Tires and Fleet Service</u> (Land – Enforcement) – In this land enforcement action concerning a Jo Daviess 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 \$1,500 civil penalty and to cease and desist from further violations.	5-0
PCB 16-38	<u>Michael Breiby - Aledo v. IEPA</u> (Water – Tax Certification) – The Board found and certified that specified facilities of Michael Breiby 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)).	5-0
PCB 16-40	<u>Gary Walker v. IEPA</u> (Water – Tax Certification) – The Board found and certified that specified facilities of Gary Walker located in Knox 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
PCB 16-44	<u>JMTR, LLC - Erie v. IEPA</u> (Water – Tax Certification) – The Board found and certified that specified facilities of JMTR,LLC located in Whiteside 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
PCB 16-45	<u>Electric Energy, Inc. (Joppa Energy Center) V. IEPA</u> (Water – Permit Appeal, NPDES) – The Board accepted for hearing this permit appeal on behalf of this Massac 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.	5-0
PCB 16-46	<u>Distressed Properties, Inc. v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Cook County facility. The Board also granted petitioner’s motion to consolidate this appeal with previously consolidated permit appeals PCB 15-108 and PCB 16-32.	5-0

OTHER ITEMS

ADJOURNMENT

Moved and seconded, by a vote of 5-0, Chairman Keenan adjourned the meeting at 11:13 a.m.

I, Don A. Brown, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on October 1, 2015, by a vote of 5-0.

A handwritten signature in cursive script that reads "Don A. Brown". The letters are fluid and connected, with a large initial "D" and "B".

Don A. Brown, Assistant Clerk
Illinois Pollution Control Board