

ILLINOIS POLLUTION CONTROL BOARD

MEETING MINUTES



July 10, 2014

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 four Board Members answered present.

APPROVAL OF MINUTES

The minutes of the June 19, 2014 open meeting were approved by a vote of 4-0.

PUBLIC REMARKS

None.

RULEMAKINGS

R12-23	<u>In the Matter of: Concentrated Animal Feeding Operations (CAFOs): Proposed Amendments to 35 Ill. Adm. Code Parts 501, 502, and 504</u> (Water) – , The Board entered an order to address the comments of the Joint Committee on Administrative Rules (JCAR) submitted on July 3, 2014 by JCAR Co-Chairs Senator Don Harmon and Representative Tim Schmitz (PC 3047).	4-0
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R14-20	<u>In the Matter of: Emergency Rulemaking Regarding Regulation of Coke/Coal Bulk Terminals; 35 Ill. Adm. Code Part 213</u> (Air) – The Board granted the Illinois Environmental Protection Agency’s request to extend the stay of these proceedings from June 23, 2014 to January 12, 2015.	4-0
R15-1	<u>RCRA Subtitle C Update, USEPA Amendments (January 1, 2014 through June 30, 2014)</u> (Land) – The Board reserved this docket for a routine update to make the Board rules “identical in substance” to United States Environmental Protection Agency rules adopted during the update period.	
R15-2	<u>UST Update, USEPA Amendments (January 1, 2014 through June 30, 2014)</u> (Land) – The Board reserved this docket for a routine update to make the Board rules “identical in substance” to United States Environmental Protection Agency rules adopted during the update period.	
R15-3	<u>Wastewater Pretreatment Update, USEPA Amendments (January 1, 2014 through June 30, 2014)</u> (Water) – The Board reserved this docket for a routine update to make the Board rules “identical in substance” to United States Environmental Protection Agency rules adopted during the update period.	
R15-4	<u>National Ambient Air Quality Standards Update, USEPA Amendments (January 1, 2014 through June 30, 2014)</u> (Air) – The Board reserved this docket for a routine update to make the Board rules “identical in substance” to United States Environmental Protection Agency rules adopted during the update period.	
R15-5	<u>Definition of VOM Update, USEPA Amendments (January 1, 2014 through June 30, 2014)</u> (Air) – The Board reserved this docket for a routine update to make the Board rules “identical in substance” to United States Environmental Protection Agency rules adopted during the update period.	

R15-6	<u>SDWA Update, USEPA Amendments (January 1, 2014 through June 30, 2014)</u> (Water) – The Board reserved this docket for a routine update to make the Board rules “identical in substance” to United States Environmental Protection Agency rules adopted during the update period.	
R15-7	<u>UIC Update, USEPA Amendments (January 1, 2014 through June 30, 2014)</u> (Land) – The Board reserved this docket for a routine update to make the Board rules “identical in substance” to United States Environmental Protection Agency rules adopted during the update period.	
R15-8	<u>RCRA Subtitle D Update, USEPA Amendments (January 1, 2014 through June 30, 2014)</u> (Land) – The Board reserved this docket for a routine update to make the Board rules “identical in substance” to United States Environmental Protection Agency rules adopted during the update period.	

ADJUSTED STANDARDS

ADMINISTRATIVE CITATIONS

AC 14-43	<u>IEPA v. David R. & Beth W. Moser</u> – The Board found that these Jefferson County respondents violated Sections 21(p)(1) and 21(p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), 21(p)(7) (2012)), and ordered respondents to pay a civil penalty of \$3,000.	4-0
AC 14-46	<u>IEPA v. Jeanetta and Gary Maddock</u> – The Board accepted respondents’ amended petition for review involving a Massac County facility.	4-0
AC 14-51	<u>IEPA v. Charles H. Schafer, Jr. d/b/a Chucks Auto Sales</u> – The Board accepted respondent’s petition for review involving a Peoria County facility.	4-0

ADJUDICATORY CASES

<p>PCB 12-52</p>	<p><u>People of the State of Illinois v. Reliable Materials, LLC, GSG Consultants, Inc., O.C.A. Construction, Inc., Speedy Gonzalez Landscaping, Inc., Public Building Commission of Chicago, and Board of Education of the City of Chicago</u> (Land-Enforcement) – Upon receipt of a proposed stipulation and settlement agreement as to Reliable Materials, LLC. only and an agreed motion to request relief from the hearing requirement in this land enforcement action involving a Cook County facility, the Board ordered publication of the required newspaper notice.</p>	<p>3-0 Burke abstained</p>
<p>PCB 13-21</p>	<p><u>Prairie Rivers Network and Sierra Club v. Illinois Environmental Protection Agency and Peabody Gateway North Mining, LLC</u> (Water-Permit Appeal, NPDES) – The Board granted petitioners’ motion for voluntary dismissal of this permit appeal.</p>	<p>4-0</p>
<p>PCB 13-27</p>	<p><u>Sierra Club v. Midwest Generation, LLC</u> (Air-Enforcement, Citizens) – No action taken.</p>	
<p>PCB 14-101</p>	<p><u>People of the State of Illinois v. Norwood Marking & Equipment Co., Inc.</u> (Air-Enforcement) – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this air enforcement action involving a Will County facility, the Board ordered publication of the required newspaper notice.</p>	<p>4-0</p>
<p>PCB 14-114</p>	<p><u>People of the State of Illinois v. Hendrickson USA, L.L.C. (f/k/a Hendrickson Bumper & Trim)</u> (Air-Enforcement) – In this air enforcement action concerning a Will 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 \$5,000.00, and to cease and desist from further violations.</p>	<p>4-0</p>
<p>PCB 14-132</p>	<p><u>People of the State of Illinois v. Solvay USA, Inc.</u> (Air-Enforcement) – In this air enforcement action concerning a Will 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.</p>	<p>4-0</p>

PCB 14-135	<u>People of the State of Illinois v. Sanitary District of Decatur (Water-Enforcement)</u> – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this water enforcement action involving a Macon County facility, the Board ordered publication of the required newspaper notice.	4-0
PCB 15-1	<u>People of the State of Illinois v. Carmeuse Lime, Inc., (Air-Enforcement)</u> – 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 Cook County facility, the Board ordered publication of the required newspaper notice.	4-0

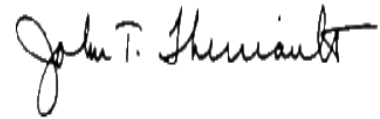
OTHER ITEMS

	The Board granted the Chairman’s Motion to add a location to already scheduled Board meetings at 11:00 am on July 24, 2014 and August 7, 2014. These two Board meetings will be a Videoconference Meeting Between the Board’s Chicago Office (Room 11-512) and the Board’s Springfield Office (Room 1244N, First Floor).	4-0
	The Board granted the Chairman’s Motion under Section 2.06 (c) of the Open Meetings Act (5 ILCS 120/2.06(c) (2012)) to continue to preserve only written minutes of Board closed deliberative sessions occurring February 1, 2012, through December 31, 2012, and to approve destruction of verbatim tape recordings of meetings held: February 9, and 23, and March 8, 22, and 29, and April 12 and 26, and, May 10, 24, and 31, and June 14 and 28, July 5, and 19, August 2 and 30, September 13, and 27, October 11 and 25, November 8, 21 and 29, and December 13, 2012. The Board will continue to preserve verbatim tape recordings of meetings held January 12 and 26, 2012.	4-0
	The Board granted the Chairman’s Motion under Section 2.06(c) of the Open Meetings Act (5 ILCS 120/2.06(c) (2012)) to continue to preserve only written minutes of Board closed personnel meetings occurring January 1, 2012, through December 31, 2012, and to approve destruction of verbatim tape recordings of meetings held: February 15, March 15, May 8 June 6, July 11, September 5, October 3, November 1, and December 5 and 19, 2012.	4-0
	The Board granted the Chairman’s Motion under Section 2.06(d) of the Open Meetings Act (5 ILCS 120/2.06(d) (2012)) to continue to keep confidential minutes of Board closed deliberative sessions and closed personnel meetings occurring between January 1, 2014 through June 30, 2014.	4-0

ADJOURNMENT

Moved and seconded, by a vote of 4-0, Chairman Glosser adjourned the meeting at 11:19 a.m.

I, John T. Therriault, Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on July 24, 2014, by a vote of 4-0.



John T. Therriault, Clerk
Illinois Pollution Control Board