



# IPCB

Illinois Pollution Control Board

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## REGULAR BOARD MEETING MINUTES

**December 21, 2017**

**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 Papadimitriou 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 December 7, 2017 Regular Meeting Regular Board Meeting and Brown Bag Lunch were approved by a vote of 5-0.

## RULEMAKINGS

<a href="#">R14-24</a>	<u>In the Matter of: Proposed Site Specific Rule for Sanitary District of Decatur from 35 Ill. Adm. Code Section 302.208(E) (Water)</u> – The Board accepted petitioner’s amended petition for hearing and granted the motion for waiver but denied petitioner’s motion to supplement the record.	5-0
<a href="#">R17-12</a>	<u>In the Matter of: SDWA Update, USEPA Amendments (July 1, 2016 through December 31, 2016)</u> (Water) – The Board adopted a final opinion and order in this “identical-in-substance” rulemaking amending the Board’s drinking water standards.	5-0

## ADJUSTED STANDARDS

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## ADMINISTRATIVE CITATIONS

<a href="#">AC 17-11</a>	<u>Jackson County v. Bruce Reese and Bryan Bruce</u> – The Board granted complainant’s motion for voluntary dismissal of the administrative citation and closed the docket.	5-0
<a href="#">AC 18-5</a>	<u>Illinois Environmental Protection Agency v. Floyd &amp; Vickie Wilson, Jack Tanner Towing Company, Inc., and Parkland Environmental Group, Inc.</u> – The Board found that respondents had violated Sections 21(p)(1) and (7) of the Act (415 ILCS 5/21(p)(1), (7) (2016)). Because there were two violations of Section 21(p), the Board ordered respondent to pay a civil penalty of \$3,000.	5-0

## ADJUDICATORY CASES

<a href="#">PCB 04-51</a>	<u>Illinois State Toll Highway Authority (Lincoln Oasis North) v. IEPA</u> (UST Appeal) – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal.	5-0
<a href="#">PCB 06-72</a>	<u>Dynegy Midwest Generation, LLC (Hennepin Power Station) v. IEPA</u> (Air – Permit Appeal) – The Board granted the parties’ joint motion, lifting the stay of the uncontested conditions of petitioner’s CAAPP permit and remanding that permit to respondent to incorporate the parties’ negotiated modifications.	4-0 Carter abstained

<a href="#">PCB 14-3</a>	<u>Johns Manville, a Delaware corporation, v. Illinois Department of Transportation (Land – Enforcement, Citizens)</u> – The Board granted Johns Manville’s and ComEd’s applications for protective order. The Board denied IDOT’s motion to require Johns Manville to produce Frederick Scott Myers for a second deposition. The Board also denied as moot Johns Manville’s and ComEd’s in camera applications for non-disclosure, Johns Manville’s in camera application for inspection of privileged and confidential material, and ComEd’s motion to quash.	5-0
<a href="#">PCB 18-6</a>	<u>Freedom Oil Company v. IEPA (UST Appeal)</u> – The Board accepted for hearing this underground storage tank appeal involving a site in Livingston County.	5-0
<a href="#">PCB 18-11</a>	<u>Sierra Club; Prairie Rivers Network; National Association for The Advancement of Colored People v. City Water, Light &amp; Power (Water – Enforcement, Citizens)</u> – The Board denied respondent’s motion to dismiss the complaint or strike its alleged violation of Section 620.301(a) of the groundwater quality rules. The Board further found that the complaint is neither duplicative nor frivolous and accepted it for hearing. Any answer to the complaint is due on or before January 22, 2018.	5-0
<a href="#">PCB 18-21</a>	<u>People of the State of Illinois v. Todd Parish (Water – Enforcement)</u> – In this water enforcement action concerning a Saline 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) (2016)), accepted a stipulation and settlement agreement, and ordered respondent to pay a \$5,000 civil penalty and to cease and desist from further violations.	3-0 Carter Santos abstained
<a href="#">PCB 18-38</a>	<u>Nottalotta Pigs, LLC v. IEPA (Water – Tax Certification)</u> – The Board found and certified that specified facilities of Nottalotta Pigs located in Lawrence County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2016)).	5-0
<a href="#">PCB 18-39</a>	<u>Larson Farms Partnership v. IEPA (Water – Tax Certification)</u> – The Board found and certified that specified facilities of Larson Farms Partnership located in DeKalb County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2016)).	5-0

<a href="#">PCB 18-40</a>	<u>South of 136, LLC v. IEPA</u> (Water – Tax Certification) – The Board found and certified that specified facilities of South of 136, LLC located in McDonough County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2016)).	5-0
<a href="#">PCB 18-41</a>	<u>Keith Morby Finishing Barns v. IEPA</u> (Water – Tax Certification) – The Board found and certified that specified facilities of Keith Morby Finishing Barns 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 (2016)).	5-0
<a href="#">PCB 18-44</a>	<u>Meier Meadows v. IEPA</u> (Water – Tax Certification) – The Board found and certified that specified facilities of Meier Meadows located in Stephenson County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2016)).	5-0
<a href="#">PCB 18-45</a>	<u>Wabash Valley Service Company v. IEPA</u> (Water – Tax Certification) – The Board found and certified that specified facilities of Wabash Valley Service Company located in Wayne County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2016)).	5-0
<a href="#">PCB 18-46</a>	<u>JMTR-Beswick v. IEPA</u> (Water – Tax Certification) – The Board found and certified that specified facilities of JMTR-Beswick 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 (2016)).	5-0
<a href="#">PCB 18-47</a>	<u>People of the State of Illinois v. Bodycote Thermal Processing, Inc.</u> (Air – Enforcement) – Upon receipt of a complaint, proposed stipulation and settlement agreement, and an agreed motion for relief from the hearing requirement in this air enforcement action involving a site located in Cook County, the Board accepted the complaint and ordered publication of the required newspaper notice.	5-0
<a href="#">PCB 18-48</a>	<u>Marathon Petroleum Company v. IEPA</u> (Water – Tax Certification) – The Board found and certified that specified facilities of Marathon Petroleum Company located in Crawford County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2016)).	4-0 Carter abstained

**OTHER ITEMS**

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**NEW BUSINESS**

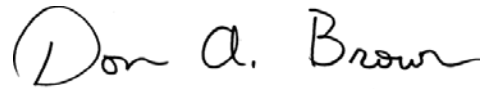
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**ADJOURNMENT**

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Moved and seconded, by a vote of 5-0, Chairman Papadimitriu adjourned the Regular Board Meeting.

I, Don Anthony Brown, Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on January 11, 2018, by a vote of 5-0.



Don Anthony Brown, Clerk  
Illinois Pollution Control Board