



# IPC

Illinois Pollution Control Board

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## REGULAR BOARD MEETING MINUTES

**September 7, 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 Papadimitriu 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 August 17, 2017 Regular Board Meeting and Brown Bag Lunch were approved by a vote of 5-0.

## RULEMAKINGS

<b>R14-10</b>	<u>In the Matter of: Coal Combustion Waste (CCW) Ash Ponds and Surface Impoundments at Power Generating Facilities: Proposed New 35 Ill. Adm. Code 841 (Water) – No action taken.</u>	
<b>R17-12</b>	<u>SDWA Update, USEPA Regulations (July 1, 2016 through December 31, 2016) (Public Water Supply) – The Board granted the Agency’s motion to extend the comment period to October 19, 2017, and accordingly extended the deadline for adoption of IIS rules to December 31, 2017.</u>	5-0

## ADJUSTED STANDARDS

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## ADMINISTRATIVE CITATIONS

<b>AC 17-18</b>	<u>IEPA v. Colleen Kelly</u> – The Board found that respondent had violated Section 1.1(b)(3) of the PWSO Act (415 ILCS 45/1.1(b)(3) (2016)). Because there were two violations of Section 1.1(b)(3), the Board ordered respondent to pay a civil penalty of \$1,000.	5-0
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## ADJUDICATORY CASES

<b>PCB 08-24</b>	<u>Midwest Generating, LLC, Joliet Generating Station v. IEPA</u> (Air – Permit Appeal, CAAPP) – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal.	4-0 Carter abstained
<b>PCB 12-35</b>	<u>People of the State of Illinois v. Six M. Corporation, Inc., an Illinois corporation, William Maxwell and James McIlvain as Necessary Party</u> (Water Enforcement) – The Board denied respondents’ motion for summary judgment, and directed the hearing officer to proceed to hearing.	5-0
<b>PCB 13-67</b>	<u>Prairie Rivers Network and Sierra Club v. Illinois Environmental Protection Agency and Springfield Coal Company, LLC</u> (Water – Permit Appeal, Third Party, NPDES) – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal.	3-0 Carter Santos abstained
<b>PCB 16-100</b>	<u>Blake Leasing Company, LLC - Real Estate Series, as owner of Kirkland Quick Stop v. IEPA</u> (Water Well Setback) – The Board granted petitioner’s motion to modify the Board’s August 17, 2017 opinion and order as specified in the amending order.	5-0

<b>PCB 18-4</b>	<u>WM Renewable Energy LLC v. IEPA</u> (Water – Tax Certification) – The Board found and certified that specified facilities of WM Renewable Energy LLC located in St. Clair 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
<b>PCB 18-5</b>	<u>Koppers, Inc. v. IEPA</u> (Water – Tax Certification) – The Board found and certified that specified facilities of Koppers, Inc. located in Cook 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
<b>PCB 18-6</b>	<u>Freedom Oil Company v. IEPA</u> (UST Appeal – 90-Day Extension) – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Livingston County facility.	5-0
<b>PCB 18-7</b>	<u>Koppers, Inc. v. IEPA</u> (Water – Tax Certification) – The Board found and certified that specified facilities of Koppers, Inc. located in Cook 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

**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 Papadimitriou adjourned the Regular Board Meeting.



# IPCB

Illinois Pollution Control Board

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## **BROWN BAG LUNCH SEMINAR AGENDA**

**September 7, 2017**

**12:00 p.m.**

**Videoconference**

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

AND

1021 N. Grand Avenue East  
Springfield, IL

**Conference Rm 1244 N, 1<sup>st</sup> Floor**

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Findings from the StormStore Feasibility Study

Sarah Cardona and Bob  
Newport, Metropolitan  
Planning Council

Ms. Cardona and Mr. Newport provided a PowerPoint presentation on a multi-organization study of the feasibility of establishing a stormwater detention credit trading program in Cook County (for now, excluding the City of Chicago). Known as StormStore and led by the Metropolitan Planning Council (MPC), The Nature Conservancy, and Metropolitan Water Reclamation District (MWRD), the study draws in part on experiences from similar successful programs in other cities (*e.g.*, Washington, D.C.). After briefly describing the MPC and its stormwater management program, the presenters explained that StormStore would create a market-based solution whereby stormwater storage capacity could be bought and sold between sites, with the ultimate goal of protecting water quality and mitigating urban flooding. As to the StormStore feasibility study, the presenters reviewed the study's components—analysis of real estate demand, land and hydrological conditions, and policy considerations (*e.g.*, what amendments to the MWRD's Cook County Watershed Management Ordinance might be needed to develop a working market for stormwater credit trading)—and described the work each component entailed. They then offered a glimpse of the study's promising preliminary findings (*e.g.*, substantial potential demand based on permitted development projects in the last decade that would have benefitted from offsite stormwater mitigation as well as potential mitigation sites (the supply-side of the market) in all Cook County watersheds), adding that the study will be finalized in the next couple of months. Finally, Ms. Cardona and Mr. Newport outlined the next phase of the work, which will include exploring the necessary structural and operational details of a stormwater credit trading platform for Cook County and which may extend the feasibility analysis to the City of Chicago. A copy of the PowerPoint presentation will be posted on the Board's website ([www.ipcb.state.il.us](http://www.ipcb.state.il.us)). The Board took no action on this matter.

ADJOURNMENT

I, Don Anthony Brown, Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on October 5, 2017, by a vote of 5-0.



Don Anthony Brown, Clerk  
Illinois Pollution Control Board