



IPC

Illinois Pollution Control Board

BOARD MEETING MINUTES

July 8, 2021

11:00 a.m.

Teleconference

Consistent with the Governor's Disaster Proclamation of June 25, 2021, issued in response to the Coronavirus Disease 2019 (COVID-19) pandemic, as well as Public Act 101-0640, effective June 12, 2020, the Board will conduct this regular open meeting by teleconference.

The agenda provided dial-in information for members of the public and explained how they could use their telephones to participate in the meeting—whether by listening, speaking during Public Remarks, or both. Further, the agenda stated that the operator would ask for the name of each member of the public calling in and explain what to do for those who wished to speak. Finally, as noted in the agenda, the meeting was audio recorded.

ROLL CALL

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

ANNOUNCEMENTS

Chair Currie welcomed members of the public and staff.

PUBLIC REMARKS

None.

APPROVAL OF MINUTES

The minutes of the Board's June 17, 2021 regular open meeting were approved by a roll call vote of 4-0.

RULEMAKINGS

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ADJUSTED STANDARDS

<u>AS 19-2</u>	<u>Petition of Emerald Polymer Additives, LLC for an Adjusted Standard from 35 Ill. Adm. Code 304.122(b)</u> (Water) – The Board denied Emerald Polymer Additives’ request for an adjusted standard from the the Board’s total ammonia nitrogen effluent standard.	4-0 roll call vote
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ADMINISTRATIVE CITATIONS

<u>AC 21-7</u>	<u>County of LaSalle v. Jake Cook and Sarah Cook</u> (Land) – After the Cooks failed to timely file a petition to contest the County of LaSalle’s administrative citation, the Board found that the Cooks violated 21(p)(1) and 21(p)(7) of the Act (415 ILCS 5/21(p)(1), (p)(7) (2018)), as alleged. Because there were two violations of Section 21(p), the Board ordered the Cooks to pay a total civil penalty of \$3,000, reflecting the statutory penalty of \$1,500 per violation.	4-0 roll call vote
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ADJUDICATORY CASES

<u>PCB 13-15</u>	<u>Sierra Club, Environmental Law and Policy Center, Prairie Rivers Network, and Citizens Against Ruining the Environment v. Midwest Generation</u> (Water, Land – Enforcement, Citizens) – The Board granted Midwest Generation’s motion for stay of discovery as to financial issues until Board issues order on motion <i>in limine</i> .	4-0 roll call vote
<u>PCB 20-38</u> <u>PCB 20-39</u> <u>Cons.</u>	<u>Midwest Generation, LLC (Joliet 9 Generating Station) v. IEPA</u> <u>Midwest Generation, LLC (Joliet 29 Generating Station) v. IEPA</u> (Thermal Demonstration) – The Board granted Midwest Generation’s request for alternate thermal effluent limitations with conditions.	4-0 roll call vote
<u>PCB 20-56</u>	<u>Steve and Jarilyn Stavropoulos v. Illinois Environmental Protection Agency</u> (UST Appeal) – The Board granted the Stavropoulos’ motion for voluntary dismissal.	4-0 roll call vote
<u>PCB 21-39</u>	<u>People of the State of Illinois v. Buening Implement, Inc.</u> (Land – Enforcement) – In this enforcement action concerning an Effingham County facility, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental	4-0 roll call vote

	Protection Act (415 ILCS 5/31(c)(1) (2018)), accepted a stipulation and proposed settlement, and ordered Buening Implement to pay a \$21,050 civil penalty and to cease and desist from further violations.	
<u>PCB 21-106</u>	<u>People of the State of Illinois v. Kness Trucking, Inc.</u> (Water, NPDES – Enforcement) – In this enforcement action concerning an Carroll 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) (2018)), accepted a stipulation and proposed settlement, and ordered Buening Implement to pay a \$9,000 civil penalty and to cease and desist from further violations.	4-0 roll call vote
<u>PCB 21-107</u>	<u>People of the State of Illinois v. Village of Swansea</u> (Water, NPDES – Enforcement) – In this enforcement action concerning a St. Clair 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) (2018)), accepted a stipulation and proposed settlement, and ordered Buening Implement to pay a \$1,620 civil penalty and to cease and desist from further violations.	4-0 roll call vote
<u>PCB 21-116</u>	<u>Chad Bell v. Illinois Environmental Protection Agency</u> (Water – Tax Certification) – The Board found and certified that Chad Bell’s specified facilities located in Mercer County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).	4-0 roll call vote
<u>PCB 21-117</u>	<u>People of the State of Illinois v. Rolling Meadows Shell Mart, Inc.</u> (Air– Enforcement) – The Board accepted the People’s complaint for hearing concerning Rolling Meadows Shell Mart’s Cook County facility.	4-0 roll call vote
<u>PCB 21-118</u>	<u>People of the State of Illinois v. Beardstown Sanitary District</u> (Water, NPDES – Enforcement) – Upon receiving a complaint, a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving a site in Cass County, the Board accepted the complaint and ordered publication of the required newspaper notice.	4-0 roll call vote
<u>PCB 21-119</u>	<u>Stephen K. Main v. Illinois Environmental Protection Agency</u> (Water – Tax Certification) – The Board found and certified that Stephen K. Main’s specified facilities located in Knox County are pollution control facilities for preferential tax	4-0 roll call vote

	treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).	
<u>PCB 21-120</u>	<u>Jakobs Bro Farms v. Illinois Environmental Protection Agency</u> (Water – Tax Certification) – The Board found and certified that Jakobs Bros Farms’ specified facilities located in Whiteside County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).	4-0 roll call vote

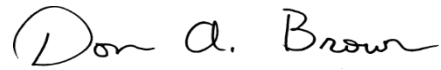
OTHER ITEMS

	The Board granted Chair’s Motion under Section 2.06(d) of the Open Meetings Act (5 ILCS 120/2.06(d) (2018)) to continue keeping confidential the minutes of the Board’s closed meeting held on January 14, 2021.	
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ADJOURNMENT

Moved and seconded, by a roll call vote of 4-0, Chair Currie 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 July 29, 2021, by a vote of 4-0.



Don Anthony Brown, Clerk
Illinois Pollution Control Board