



IPCB

Illinois Pollution Control Board

REGULAR BOARD MEETING MINUTES

July 26, 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

Chairman Papadimitriou welcomed members of the public and staff.

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 July 6, 2017 Regular Board Meeting were approved by a vote of 5-0.

RULEMAKINGS

<p>R14-24</p>	<p><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> <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 granted petitioner’s motion to extend the stay of this proceeding to and including November 31, 2017 and ordered petitioner to file documents supporting the petition by November 31, 2017.</p>	<p>5-0</p>
<p>R17-9</p>	<p><u>In The Matter of: Permit by Rule for Boilers: Amendments to 35 Ill. Adm. Code Parts 201 and 211 (Air) – The Board corrected the addendum to the Board’s March 23, 2017 final order <i>nunc pro tunc</i>, as indicated in the corrected addendum accompanying today’s order.</u></p>	<p>5-0</p>
<p>R17-10</p>	<p><u>National Ambient Air Quality Standards, USEPA amendments (July 1, 2016 through December 31, 2016) (Air) – The Board adopted a proposal for public comment in this “identical-in-substance” rulemaking to amend the Board’s air pollution regulations.</u></p>	<p>5-0</p>
<p>R17-11</p>	<p><u>Definition of VOM Update, USEPA amendments (July 1, 2016 through December 31, 2016) (Air) – The Board adopted a proposal for public comment in this “identical-in-substance” rulemaking to amend the Board’s air pollution regulations.</u></p>	<p>5-0</p>

ADJUSTED STANDARDS

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ADMINISTRATIVE CITATIONS

<p>AC 16-14</p>	<p><u>County of Ogle v. Wayne L. Fisher & Christina C. Fisher</u> – In response to a joint stipulation and proposed settlement agreement in this administrative citation action involving an Ogle County facility, the Board found that respondents had violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (2016)). Because the Board previously found that the Fishers violated this same provision, Section 42(b) (4-5) of the Act (415 ILCS 5/42(b) (4-5) (2016)) establishes a civil penalty of \$3,000 for this second adjudicated violation. The Board also granted the parties’ joint motion to dismiss respondents’ petition for review. To effectuate the parties’ intent that respondents pay a total civil penalty of \$3,000, the Board dismissed the alleged violation of Section 21(p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(7) (2016)).</p>	<p>5-0</p>
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ADJUDICATORY CASES

<p>PCB 07-132</p>	<p><u>People of the State of Illinois v. C. Grantham Company, an Illinois corporation</u> (Land – Enforcement) – The Board granted complainant’s motion for voluntary dismissal of this enforcement action.</p>	<p>5-0</p>
<p>PCB 17-59</p>	<p><u>Illinois Ayers Oil Co. v. IEPA</u> (UST Appeal) – The Board accepted for hearing this underground storage tank appeal involving a site in Schuyler County.</p>	<p>5-0</p>
<p>PCB 17-71</p>	<p><u>Ty Stead Farms v. IEPA</u> (Water – Tax Certification) – Consistent with IEPA’s recommendation, the Board found and certified that specified facilities of Ty Stead Farms 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)), but denied certification of other facilities identified in the Board’s order.</p>	<p>5-0</p>
<p>PCB 17-72</p>	<p><u>WSB, LLC v. IEPA</u> (Water – Tax Certification) – Consistent with IEPA’s recommendation, the Board found and certified that specified facilities of Ty Stead Farms 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)), but denied certification of other facilities identified in the Board’s order.</p>	<p>5-0</p>

PCB 17-76	<u>People of the State of Illinois v. Peabody Coulterville Mining, LLC, a Delaware limited liability company</u> (Water – Enforcement, NPDES) – In this water enforcement action concerning a Randolph 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 \$42,500 civil penalty and to cease and desist from further violations.	3-0 Carter and Santos abstained
PCB 18-1	<u>People of the State of Illinois v. Kenny Construction Company</u> (Water – Enforcement, NPDES) – Upon receipt of a complaint, proposed stipulation and settlement agreement, and an agreed motion for relief from the hearing requirement in this water enforcement actions involving a site located in DuPage county, the Board ordered publication of the required newspaper notice.	3-0 Carter and Santos abstained

PCB 18-2	<u>Everett Kauffman v. IEPA</u> (Water – Tax Certification) – The Board found and certified that specified facilities of Everett Kauffman located in Jackson 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
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OTHER ITEMS

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NEW BUSINESS

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ADJOURNMENT

Moved and seconded, by a vote of 5-0, Chairman Papadimitriou 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 August 17, 2017, by a vote of 5-0.



Don Anthony Brown, Clerk
Illinois Pollution Control Board