

ILLINOIS POLLUTION CONTROL BOARD

MEETING MINUTES



March 17, 2016

- Regular Board Meeting: 11:00 a.m.
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REGULAR BOARD MEETING MINUTES

March 17, 2016

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 Keenan 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

Public remarks regarding R14-10 were provided by Cindy Skrukrud representing the Sierra Club.

APPROVAL OF MINUTES

The minutes of the March 3, 2016 Regular Meeting were approved by a vote of 5-0.

RULEMAKINGS

<p>R14-10</p>	<p><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</u> (Water) – The Board granted the Illinois Environmental Protection Agency’s (Agency) motion to extend the stay of this rulemaking through June 15, 2016. The Board also directed the Agency to file by a status report on that date addressing issues specified in the order.</p>	<p>5-0</p>
<p>R15-22</p>	<p><u>In the Matter of: Public Water Supplies: Proposed Amendments to 35 Ill. Adm. Code Parts 601, 602, and 603</u> (Public Water Supply) – Chairman Keenan stated that this matter would be held until a future meeting to allow review of recent Joint Committee on Administrative Rules (JCAR) action on this rulemaking. No action taken.</p>	
<p>R15-24</p>	<p><u>In the Matter of: Water Pollution: Proposed Amendments to 35 Ill. Adm. Code Part 309</u> (Water) – Chairman Keenan stated that this matter would be held until a future meeting to allow review of recent JCAR action on this rulemaking. No action taken.</p>	

ADMINISTRATIVE CITATIONS

<p>AC 15-24</p>	<p><u>IEPA v. Sean's Tap, Inc.</u> – In response to a joint stipulation and proposed settlement agreement in this administrative citation action involving a Fulton County facility, the Board found that respondent had violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (2014)) and ordered respondent to pay a civil penalty of \$1,500. The Board also granted the parties’ joint motion to dismiss respondent’s petition for review. To effectuate the parties’ intent that Sean’s Tap pay a total civil penalty of \$1,500, the Board dismissed the alleged violations of Sections 21(p)(3), 21(p)(4), and 21(p)(7) of the Act. (415 ILCS 5/21(p)(3), 21(p)(4), 21(p)(7), (2014))</p>	<p>5-0</p>
<p>AC 16-12</p>	<p><u>IEPA v. David E. Wilson, Thomas Thomas, Richard Roberts, and Scott Lanman</u> – The Board found that these McDonough County respondents violated Sections 21(p)(1), 21(p)(3), and 21(p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), 21(p)(3), 21(p)(7) (2014)), and ordered respondents to pay a civil penalty of \$4,500.</p>	<p>5-0</p>

ADJUDICATORY CASES

PCB 06-59	<u>Midwest Generation, LLC Powerton Generating Station v. IEPA</u> (Air – Permit Appeal, CAAPP) – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal.	5-0
PCB 15-139	<u>Susan M. Bruce v. Highland Hills Sanitary District</u> (Water - Enforcement, Citizens) – The Board denied respondent’s motion to dismiss but granted its alternative motion to strike complainant’s reply to respondent’s affirmative defenses. The Board allowed complainant to file an amended reply by March 31, 2016.	
PCB 16-79	<u>People of the State of Illinois v. GBC Metals, LLC d/b/a Olin Brass</u> (Land-Enforcement) – In this land enforcement action concerning a Madison 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) (2014)), accepted a stipulation and settlement agreement, and ordered respondent to pay a \$10,500 civil penalty and to cease and desist from further violations.	5-0
PCB 16-86	<u>Steffes Registered Holsteins v. IEPA</u> (Water - Tax Certification) – The Board found and certified that specified facilities of Steffes Registered Holsteins located in Jo Daviess County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2014)).	5-0
PCB 16-87	<u>Ronald Mueller Jr. v. IEPA</u> (Water - Tax Certification) – The Board found and certified that specified facilities of Ronald Mueller Jr. located in McLean County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2014)).	5-0
PCB 16-90	<u>Victor DeBlock - Aledo v. IEPA</u> (Water - Tax Certification) – The Board found and certified that specified facilities of Victor DeBlock 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 (2014)).	5-0

PCB 16-91	<u>Nathan Oak - Taylor Ridge v. IEPA</u> (Water - Tax Certification) – The Board found and certified that specified facilities of Nathan Oak located in Rock Island County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2014)).	5-0
PCB 16-92	<u>VonHolten Farms v. IEPA</u> (Water - Tax Certification) – The Board found and certified that specified facilities of VonHolten Farms located in Whiteside Island County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2014)).	5-0
PCB 16-93	<u>Hadley Farms, Inc. v. IEPA</u> (Water - Tax Certification) – The Board found and certified that specified facilities of Hadley Farms, Inc. located in Henry Island County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2014)).	5-0
PCB 16-94	<u>People of the State of Illinois v. The Arnold Engineering Co.</u> (Water – Enforcement) – 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 land enforcement action involving a McHenry County facility, the Board accepted the complaint for hearing and ordered publication of the required newspaper notice.	5-0

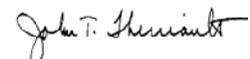
OTHER ITEMS

	The Board granted the Chairman’s Motion to Schedule a Closed Deliberative Session under Section 2(c)(4) of the Open Meetings Act (5 ILCS 120/2(c)(4) (2014)) for April 14, 2016, at 10:00 am regarding <u>Will County v. Village of Rockdale</u> , PCB 16-54 & PCB 16-56 (cons.) (hearing held January 12, 2016).	5-0
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ADJOURNMENT

Moved and seconded, by a vote of 5-0, Chairman Keenan adjourned the regular meeting.

I, John T. Therriault, Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on April 7, 2016, by a vote of 5-0.



John T. Therriault, Clerk
Illinois Pollution Control Board