



# IPC

Illinois Pollution Control Board

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## REGULAR BOARD MEETING MINUTES

**May 3, 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 Keenan 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 April 12, 2017 Regular Board Meeting and Brown Bag Lunch Seminar were approved by a vote of 5-0.

## RULEMAKINGS

### ADJUSTED STANDARDS

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### ADMINISTRATIVE CITATIONS

<b>AC 17-11</b>	<u>IEPA v. Bruce Reese and Bryan Bruce</u> – The Board accepted respondents’ amended petitions for hearing.	5-0
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### ADJUDICATORY CASES

<b>PCB 12-35</b>	<u>People of the State of Illinois v. Six M. Corporation, Inc., William Maxwell, and Marilyn Maxwell, and Joinder of James McIlvain as Necessary Party</u> (Water – Enforcement) – The Board affirmed the Hearing Officer’s order granting the People’s motion to reopen discovery.	5-0
<b>PCB 14-111</b>	<u>Sanitary District of Decatur v. IEPA</u> (Time-Limited WQS) – The Board granted petitioner’s motion for extension of time to file an amended petition for a time-limited water quality standard and extended the deadline to July 11, 2017.	5-0
<b>PCB 16-88</b>	<u>Ron Bright v. IEPA</u> (Land – Permit Appeal) – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal.	5-0
<b>PCB 17-47</b>	<u>People of the State of Illinois v. Peter Panagiotaras</u> (Water – Enforcement) – In this water enforcement action concerning a Grundy 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 \$5,000 civil penalty and cease and desist from further violations.	5-0
<b>PCB 17-60</b>	<u>David Anderson Farm Trust- Sheffield v. IEPA</u> (Water – Tax Certification) – The Board found and certified that specified facilities of David Anderson Farm Trust located in Bureau 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

<b>PCB 17-61</b>	<u>David Anderson Farm Trust- Tampico v. IEPA</u> (Water – Tax Certification) – The Board found and certified that specified facilities of David Anderson Farm Trust located in Bureau 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
<b>PCB 17-62</b>	<u>Sangamon Valley CUSD #9 v. IEPA</u> (UST Appeal) – The Board accepted for hearing this underground storage tank appeal involving a site in Macon County.	5-0
<b>PCB 17-63</b>	<u>Calhoun County Rural Water District v. IEPA</u> (Public Water Supply – Permit Appeal– 90-Day Extension) – The Board granted respondent’s motion to strike petitioner’s request for a 90-day extension of the appeal period and closed this docket.	5-0

**OTHER ITEMS**

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**NEW BUSINESS**

**ADJOURNMENT**

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



# IPCB

Illinois Pollution Control Board

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## BROWN BAG LUNCH SEMINAR MINUTES

**May 3, 2017**  
**12:00 p.m.**  
**Videoconference**

100 W. Randolph Street    AND  
Chicago, IL  
**Room 11-512**

1021 N. Grand Avenue East  
Springfield, IL  
**Conference Rm 1244 N, 1<sup>st</sup> Floor**

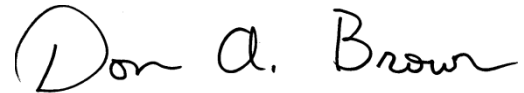
### Time Limited Water Quality Standard??

Mr. Robertson provided a PowerPoint presentation on Illinois legislation adding Section 38.5, concerning water quality standard (WQS) variances, to the Environmental Protection Act. He first addressed the generally applicable requirements for variances under the Act, the differences between these standards and those for WQS variances under the federal Clean Water Act (CWA), and USEPA's directive that Illinois WQS variances must comply with CWA standards for such variances, aka time-limited water quality standards. Mr. Robertson reviewed Section 38.5's scope and requirements for TLWQS petitions, explaining that the statutory process culminates in a final Board decision granting or denying any (substantially compliant) petition and USEPA review of any adopted TLWQS. He clarified that under Section 38.5 Illinois EPA must file a rulemaking proposal prescribing the procedures that apply to such petitions, but the Board may in the interim adopt TLWQS in accordance with federal regulations under the CWA. A copy of the PowerPoint presentation is available on the Board's website ([www.ipcb.state.il.us](http://www.ipcb.state.il.us)). The Board took no action on this matter.

Daniel Robertson, IPCB  
Attorney Advisor

**ADJOURNMENT**

I, Don Anthony Brown, Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on May 18, 2017, by a vote of 5-0.

A handwritten signature in black ink that reads "Don a. Brown". The "D" is large and circular, and the "a" is lowercase and cursive.

Don Anthony Brown, Clerk  
Illinois Pollution Control Board