

ILLINOIS POLLUTION CONTROL BOARD

MEETING MINUTES



July 21, 2016

- Regular Board Meeting: 11:00 a.m.
 - Brown Bag Lunch Seminar: 12:00 p.m.
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REGULAR BOARD MEETING MINUTES

July 21, 2016

11:00 a.m.

Videoconference

Chicago

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

Springfield

1021 N. Grand Avenue East
Springfield, IL
Conference Room 1244 N, First
Floor

ANNOUNCEMENTS

Member Zalewski welcomed members of the public and staff.

ROLL CALL

The Clerk of the Board called the roll. All four Board Members answered present. The Board granted 4-0 Member Zalewski's motion to allow Chairman Keenan to participate via telephone pursuant to Section 7(a)(ii) of the Open Meetings Act (5 ILCS 120/7(a)(ii) (2014)).

PUBLIC REMARKS

None.

APPROVAL OF MINUTES

The minutes of the July 7, 2016 Regular Meeting and Brown Bag Seminar were approved by a vote of 5-0.

RULEMAKINGS

ADJUSTED STANDARD

ADMINISTRATIVE CITATIONS

AC 14-6	<u>IEPA v. Jonathon A. Banks d/b/a AMB Auto Repair & Detailing and John T. & Emily D. Howard</u> – The Board granted complainant’s motion for voluntary dismissal of this administrative citation and closed the docket.	5-0
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ADJUDICATORY CASES

PCB 04-66	<u>Premcor Refining Group v. IEPA</u> (Permit Appeal – RCRA) – The Board granted petitioner’s request to file its status report <i>instantert</i> .	5-0
PCB 10-20	<u>People of the State of Illinois v. Montalbano Builders, Inc., MBC XIV, LLC, Cortland I-88, LLC, RB Resolutions Properties, LLC, and Douglas J. Johnson</u> (Water – Enforcement) – The Board granted complainant’s motion to voluntarily dismiss the last remaining respondents, Montalbano Builders, Inc. and MBC XIV, and closed the docket.	5-0
PCB 13-41	<u>People of the State of Illinois v. AmerenEnergy Resources Generating Company, Inc.</u> (Land – Enforcement) – The Board granted the parties’ joint motion to join Ameren Energy Medina Valley Cogen, LLC as a respondent in this matter. Also, upon receipt of a stipulation and proposed settlement agreement and agreed motion to request relief from the hearing requirement in this land enforcement action involving a Fulton County facility, the Board ordered publication of the required newspaper notice.	5-0
PCB 14-111	<u>Sanitary District of Decatur v. IEPA</u> (Water – Variance) – No action taken.	
PCB 15-138	<u>Dynegy Midwest Generation, LLC (Baldwin Energy Complex) v. IEPA</u> (Water – Permit Appeal, NPDES) – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal.	5-0

PCB 16-100	<u>Blake Leasing Company, LLC - Real Estate Series, as owner of Kirkland Quick Stop v. Illinois Environmental Protection Agency and Village of Kirkland</u> (Water Well Setback) – No action taken.	
PCB 16-102	<u>Friends of the Environment, NFP v. IEPA</u> (UST Appeal) – The Board denied petitioner’s motion for summary judgment and granted respondent’s cross-motion for summary judgment.	5-0
PCB 16-107	<u>People of the State of Illinois v. Jones Hydroblast, Inc.</u> (Land – Enforcement, RCRA) – In this land enforcement action concerning a Franklin 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 \$7,500 civil penalty and to cease and desist from further violations.	5-0
PCB 16-109	<u>People of the State of Illinois v. Village of Lakemoor</u> (Water – Enforcement) – In this water enforcement action concerning respondent’s municipal separate storm sewer system (MS4) which discharges into Sullivan Lake, Likely Lake, Lake Louette, and several other unnamed lake and tributaries in Lake and McHenry Counties, 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 \$7,100 civil penalty and to cease and desist from further violations.	5-0
PCB 16-113	<u>Alliance WOR Processing, LLC - Dahlgren v. IEPA</u> (Air – Tax Certification) – The Board found and certified that specified facilities of Alliance WOR Processing, LLC located in Hamilton 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

OTHER ITEMS

	The Board granted the Chairman's Motion under Section 2.06 (c) of the Open Meetings Act (5 ILCS 120/2.06(c) (2014)) to continue to preserve only written minutes of Board closed deliberative sessions occurring January 1, 2014 through December 31, 2014, and to approve destruction of verbatim tape recordings of meetings held: January 30, June 12, August 14, August 28, October 9, and November 13, November 26, and December 11, 2014.	5-0
	The Board granted the Chairman's Motion under Section 2.06(d) of the Open Meetings Act (5 ILCS 120/2.06(d) (2014)) to continue to keep confidential minutes of Board closed deliberative sessions occurring July 1, 2015 through June 30, 2016, and the closed portion of the Board meeting occurring July 23, 2015.	5-0

ADJOURNMENT

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

BROWN BAG LUNCH SEMINAR MINUTES

July 21, 2016

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, 1st Floor

ROLL CALL

Member Zalewski called the roll. Four Board Members answered present.

<p>The Nature Conservancy: Background and New Projects — Ms. Donovan and Mr. Hodgman provided a PowerPoint presentation introducing attendees to the Nature Conservancy (TNC) and some of its new projects and programs in Illinois. The presenters explained that TNC is a science-based organization focused on conservation by design; working with companies and other stakeholders to achieve long-term goals such as protecting water and addressing climate change; and shaping public policy on these issues. Next, they reviewed TNC’s flagship conservation projects in Illinois such as the Emiquon wetlands restoration, as well as initiatives focused on Illinois and the Great Lakes region: nutrient pollution reduction and water quality and greenhouse gas reduction. Regarding nutrient reduction, the presenters reviewed natural infrastructure solutions and watershed planning, and provided an example of a public-private partnership connecting non-point sources of loading to surface waters, <i>e.g.</i>, farms, with point sources such as municipally owned treatment works to improve water quality. A copy of the PowerPoint presentation will be posted on the Board’s website (www.ipcb.state.il.us). The Board took no action on this matter.</p>	<p>Susan Donovan and Tom Hodgman, Nature Conservancy</p>
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ADJOURNMENT

Moved and seconded, by a vote of 3-0, Member Zalewski adjourned the brown bag lunch seminar.

I, Don A. Brown, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on August 11, 2016, by a vote of.

A handwritten signature in black ink that reads "Don A. Brown". The signature is written in a cursive style with a large, circular initial "D".

Don A. Brown, Assistant Clerk
Illinois Pollution Control Board