



IPCB

Illinois Pollution Control Board

REGULAR BOARD MEETING MINUTES

March 28, 2019

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**

ROLL CALL

The Clerk of the Board called the roll at 11:00 a.m. and Board Members Zalewski, Santos, and Choe answered present. When the meeting reconvened at 1:00 p.m., the Clerk called the roll again and all five Board Members answered present.

ANNOUNCEMENTS

Member Zalewski welcomed members of the public and staff at 11:00 a.m. Because the Chairman was testifying at the Senate Appropriations Committee II hearing scheduled to begin at 9:00 AM, Member Zalewski recessed the meeting at 11:05 AM to re-convene at 1:00 PM.

Chairman Papadimitriou welcomed members of the public and staff at 1:00 p.m.

PUBLIC REMARKS

None.

APPROVAL OF MINUTES

The minutes of the March 14, 2019 regular meeting were approved by a vote of 5-0.

RULEMAKINGS

<u>R14-10</u>	<u>Coal Combustion Waste (CCW) Ash Ponds and Surface Impoundments at Power Generating Facilities: Proposed New 35 Ill. Adm. Code 841</u> – The Board directed IEPA, as the proponent, to respond by Monday, April 29, 2019, to show cause why this docket should not be closed. The Board also welcomed other participants’ comments by the same deadline.	5-0
<u>R18-24</u>	<u>Amendments to 35 Ill. Adm. Code Subtitle D</u> – The Board adopted a first-notice opinion and order in this rulemaking to amend the Board’s mine-related water pollution rules.	5-0

ADJUSTED STANDARDS

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ADMINISTRATIVE CITATIONS

ADJUDICATORY CASES

<u>PCB 06-126</u>	<u>AmerenEnergy Resources Generating Company, Edwards Power Station v. IEPA (Air – Permit Appeal)</u> – The Board took no action.	
<u>PCB 12-35</u>	<u>People of the State of Illinois v. Six M. Corporation, Inc., an Illinois corporation, Thomas Maxwell, and James McIlvain as Necessary Party (Water – Enforcement)</u> – The Board denied the People’s motion to strike respondents’ claimed affirmative defense and specified affirmative statements.	5-0
<u>PCB 16-28</u>	<u>Metropolitan Water Reclamation District of Greater Chicago v. IEPA (Time-Limited WQS)</u> – The Board found that this amended petition contains the required components for a TLWQS petition and is therefore in “substantial compliance” as defined by the Board’s rules governing TLWQS proceedings. The Board directed IEPA to file its recommendation by May 13, 2019.	4-0 Santos abstained
<u>PCB 19-59</u>	<u>Diana Leindl and Kevin Leindl v. Hartsburg Grain Co. (Noise, Air – Enforcement, Citizens)</u> – The Board directed complainants to file by April 29, 2019, an amended complaint curing the deficiencies specified in the order.	5-0

<u>PCB 19-71</u>	<u>Celeste Tapia and Michael W. Edwards v. Miller Container Corporation</u> (Noise – Enforcement, Citizens) – Having previously found the alleged violations frivolous, the Board dismissed the case and closed the docket for failure to file an amended complaint.	5-0
<u>PCB 19-90</u>	<u>People of the State of Illinois v. One Earth Energy, LLC, an Illinois limited liability company</u> (Water – Enforcement) – The Board directed the People to file by April 18, 2019, proof of service of the complaint.	5-0
<u>PCB 19-91</u>	<u>People of the State of Illinois v. Village of Leonore, a municipal corporation</u> (Public Water Supply – Enforcement) – Upon receiving a complaint, a stipulation and proposed settlement, and an agreed motion for relief from the hearing requirement in this land enforcement action involving a facility in LaSalle County, the Board ordered publication of the required newspaper notice.	5-0

OTHER ITEMS

	The Chairman, on behalf of the Board, thanked Member Carrie Zalewski for her years of service with the Board (2009 – 2019) and wished her well in her future endeavors.	
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ADJOURNMENT

Moved and seconded, by a vote of 3-0, Member Zalewski recessed the meeting at 11:05 a.m. The meeting reconvened at 1:00 p.m. Moved and seconded, by a vote of 5-0, Chairman Papadimitriou adjourned the meeting at 1:15 p.m.

I I, Don Anthony Brown, Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on April 11, 2019, by a vote of 4-0.



Don Anthony Brown, Clerk
Illinois Pollution Control Board