



# IPCB

Illinois Pollution Control Board

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## REGULAR BOARD MEETING MINUTES

April 11, 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**

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The Clerk of the Board called the roll. All four Board Members answered present.

### **ANNOUNCEMENTS**

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Chairman Papadimitriou welcomed members of the public and staff.

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### **PUBLIC REMARKS**

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None.

### **APPROVAL OF MINUTES**

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The minutes of the March 28, 2019 regular meeting were approved by a vote of 4-0.

## RULEMAKINGS

<a href="#"><u>R19-19</u></a>	<u>Proposed Amendments to General Procedural Rules (35 Ill. Adm. Code 101)</u> – The Board adopted a first-notice opinion and order in this rulemaking to amend the Board’s procedural rules.	4-0
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## ADJUSTED STANDARDS

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## ADMINISTRATIVE CITATIONS

<a href="#"><u>AC 19-18</u></a>	<u>IEPA v. James and Betty Spiller, Saul Cruz d/b/a The Magic of Repair (Land)</u> – The Board found that respondents had violated Section 55(k)(1) of the Environmental Protection Act (415 ILCS 5/55(k)(1) (2016)). Because there was one violation of Section 55(k), the Board ordered respondents to pay a civil penalty of \$1,500.	4-0
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## ADJUDICATORY CASES

<a href="#"><u>PCB 06-67</u></a>	<u>AmerenEnergy Resources Generating Company, Edwards Power Station v. IEPA (Air – Permit Appeal)</u> – The Board granted the joint motion to lift the stay of the uncontested permit conditions while continuing to stay the contested conditions. The Board also granted the parties’ request to remand the permit to IEPA.	4-0
<a href="#"><u>PCB 16-14, et al. (cons.)</u></a>	<u>Village of Homewood, Homewood, Illinois v. IEPA (Time-Limited WQS)</u> – Finding the requested party substitution unnecessary, the Board denied the motion for substitution of petitioner. The Board directed the Clerk to amend the caption of this proceeding as it appears in the order by indicating INEOS Joliet as the petitioner, in place of Flint Hills.	3-0 Santos abstained
<a href="#"><u>PCB 16-24</u></a>	<u>INEOS Joliet, LLC v. IEPA (Time-Limited WQS)</u> – The Board took no action on this matter.	
<a href="#"><u>PCB 17-77</u></a>	<u>IL Pit Stop, LLC v. IEPA (UST Appeal)</u> – The Board granted petitioner’s motion for voluntary dismissal of this underground storage tank appeal.	4-0
<a href="#"><u>PCB 17-87</u></a>	<u>Knapp Oil Company v. IEPA (UST Appeal)</u> – The Board granted petitioner’s motion for voluntary dismissal of this underground storage tank appeal.	4-0

<a href="#"><u>PCB 19-1</u></a>	<u>Lawrence Reed v. Martin Pasillas</u> (Noise – Enforcement, Citizens) – The Board, on its own motion, dismissed this citizen’s enforcement action for failure to diligently pursue litigation.	4-0
<a href="#"><u>PCB 19-70</u></a>	<u>Susanne M. Kirkham and Steven C. Kirkham v. Village of Poplar Grove</u> (Water – 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.	4-0
<a href="#"><u>PCB 19-85</u></a>	<u>People of the State of Illinois v. Williamson Energy, LLC</u> (Water – Enforcement) – Upon receiving a complaint, a stipulation and proposed settlement, and an agreed motion for relief from the hearing requirement in this water enforcement action involving a facility in Williamson County, the Board ordered publication of the required newspaper notice.	3-0 Carter abstained
<a href="#"><u>PCB 19-86</u></a>	<u>People of the State of Illinois v. Emerald Cleaners, Inc. d/b/a CD One Price Cleaners</u> (Air – Enforcement) – In this air enforcement action concerning a Cook 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 proposed settlement, and ordered respondent to pay a total civil penalty of \$5,000, and to cease and desist from future violations.	4-0
<a href="#"><u>PCB 19-94</u></a>	<u>Gary &amp; Sandra Blanchard v. IEPA</u> (Water – Tax Certification) – The Board found and certified that specified facilities of Gary & Sandra Blanchard located in Rock Island County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2016)).	4-0
<a href="#"><u>PCB 19-95</u></a>	<u>Scott Huelsing v. IEPA</u> (Water – Tax Certification) – The Board found and certified that specified facilities of Scott Huelsing located in Effingham County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2016)).	4-0
<a href="#"><u>PCB 19-96</u></a>	<u>Citizens Against Ruining the Environment v. Illinois Environmental Protection Agency and Jackson Generation, LLC</u> (Permit Appeal – Third Party, NPDES) – The Board accepted petitioner’s petition for review involving a facility located in Will County.	3-0 Carter abstained

<a href="#"><u>PCB 19-97</u></a>	People of the State of Illinois v. Byrd's Cleaners and Laundry, Inc. (Air – Enforcement) – Upon receiving a complaint, a stipulation and proposed settlement, and an agreed motion for relief from the hearing requirement in this air enforcement action involving a facility in Coles County, the Board ordered publication of the required newspaper notice.	4-0
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**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) (2016)) to continue preserving only written minutes of Board closed meetings occurring in January 2012, July 2015, September 2016, and December 2016, and to approve destroying verbatim tape recordings of closed meetings held: January 12, 2012; January 26, 2012; July 23, 2015; September 29, 2016; and December 12, 2016.	4-0
	The Board granted the Chairman’s Motion under Section 2.06(d) of the Open Meetings Act (5 ILCS 120/2.06(d) (2016)) to continue keeping confidential the minutes of Board closed meetings occurring January 1, 2018 through December 31, 2018.	4-0

**ADJOURNMENT**

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Moved and seconded, by a vote of 4-0, 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 April 25, 2019, by a vote of 4-0.

  
 Don Anthony Brown, Clerk  
 Illinois Pollution Control Board



# IPCB

Illinois Pollution Control Board

## **BROWN BAG LUNCH SEMINAR AGENDA**

**April 11, 2019**

**12:00 p.m.**

**Videoconference**

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

AND

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

### **Illinois Environmental Protection Agency Priorities**

Acting Director Kim discussed IEPA's legislative priorities (including bills concerning ethylene oxide) and IEPA's programmatic priorities (including enforcement, compliance, environmental justice, funding, and clean energy). The Board took no action on this matter.

**John Kim, Acting  
Director of the IEPA**

### **ADJOURNMENT**

I, Don Anthony Brown, Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on April 25, 2019, by a vote of.

Don Anthony Brown, Clerk  
Illinois Pollution Control Board