



IPC

Illinois Pollution Control Board

BOARD MEETING MINUTES

June 20, 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. All five Board Members answered present.

ANNOUNCEMENTS

Chairman Papadimitriou welcomed members of the public and staff.

PUBLIC REMARKS

None.

APPROVAL OF MINUTES

The minutes of the May 30, 2019 Special Board Meeting were approved by a vote of 4-0. Member Santos abstained. The minutes of the June 6, 2019 Closed Deliberative Session were approved by a vote of 5-0.

RULEMAKINGS

<u>R18-20</u>	<u>Amendments to 35 Ill. Adm. Code 225.233, Multi-Pollutant Standards (MPS)</u> – The Board adopted a second notice opinion and order in this rulemaking to amend the Board’s air pollution regulations.	5-0
<u>R18-29</u>	<u>Amendments to 35 Ill. Adm. Code Subtitle M</u> – The Board adopted a second notice opinion and order in this rulemaking to amend the Board’s potentially infectious medical waste (PIMW) rules.	5-0

ADJUSTED STANDARDS

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ADMINISTRATIVE CITATIONS

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ADJUDICATORY CASES

<u>PCB 11-90</u> <u>PCB 12-12</u> <u>PCB 12-55</u> <u>PCB 12-56</u> <u>Consol.</u>	<u>Congress Development Company v. IEPA (Land – Permit Appeal)</u> – The Board granted petitioner’s motion for voluntary dismissal of these consolidated permit appeals.	5-0
<u>PCB 13-15</u>	<u>Sierra Club, Environmental Law and Policy Center, Prairie Rivers Network, and Citizens Against Ruining the Environment v. Midwest Generation, LLC (Water – Enforcement, Citizens)</u> – In this enforcement action concerning four electric generation stations (Joliet 29; Powerton; Will County; and Waukegan), the Board found that respondent violated Sections 12(a), 12(d), and 21(a) of the Environmental Protection Act and Sections 620.115, 620.301(a), and 620.405 of the Board’s regulations. The Board also directed the hearing officer to hold additional hearings to determine the appropriate relief.	4-0 Carter abstained
<u>PCB 19-59</u>	<u>Diana Leindl and Kevin Leindl v. Hartsburg Grain Co. (Noise – Enforcement, Citizens)</u> – The Board struck as frivolous two allegations of, and accepted for hearing, the second amended complaint. The Board also directed respondent to answer the complaint by August 19, 2019.	5-0

<u>PCB 19-92</u>	<u>People of the State of Illinois v. Soto's Pallet Company</u> (Water – Enforcement) – In this enforcement action concerning a McHenry 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 Carter abstained
<u>PCB 19-109</u>	<u>Gautschy's Corner v. IEPA</u> (UST Appeal) – The Board granted petitioner’s motion to consolidate PCB 19-109 with the already-consolidated PCB 18-56 and PCB 18-60.	5-0
<u>PCB 19-111</u>	<u>Ray Flood v. IEPA</u> (Water – Tax Certification) – The Board found and certified that specified facilities of Ray Flood located in Cumberland County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2016)).	5-0
<u>PCB 19-112</u>	<u>People of the State of Illinois v. Marino Development LLC and A-W-Bennett Enterprises, Inc.</u> (Land – Enforcement) – The Board accepted for hearing this enforcement action involving a site in Winnebago County.	5-0
<u>PCB 19-113</u>	<u>People of the State of Illinois v. Builders Sand & Cement Company, Inc.</u> (Air – Enforcement) – Upon receiving a stipulation, proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving a facility located in Rock Island County, the Board ordered publication of the required newspaper notice.	5-0
<u>PCB 19-114</u>	<u>Eri-Lyn Farms, Inc. v. IEPA</u> (Water – Tax Certification) – The Board found and certified that specified facilities of Eri-Lyn Farms, Inc. located in Whiteside County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2016)).	5-0

OTHER ITEMS

	Member Carter informed those in attendance of the upcoming Brown Bag Lunch on July 25, 2019: <u><i>Illinois Environmental Legislative Spring Session Recap</i></u> presented by Jen Walling, Illinois Environmental Council.	
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ADJOURNMENT

Moved and seconded, by a vote of 5-0, Chairman Papadimitriu 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 July 25, 2019, by a vote of 5-0.



Don Anthony Brown, Clerk
Illinois Pollution Control Board