



IPCB

Illinois Pollution Control Board

BOARD MEETING MINUTES

August 22, 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 Currie welcomed members of the public and staff. She also thanked Member Papadimitriou for her leadership when serving as the Board's Chairman.

PUBLIC REMARKS

None.

APPROVAL OF MINUTES

The minutes of the Board's July 25, 2019 regular meeting were approved by a vote of 5-0. The minutes of the Board's July 25, 2019 Brown Bag Lunch 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 final opinion and order amending the Board’s air regulations.	5-0
<u>R18-29</u>	<u>Amendments to 35 Ill. Adm. Code Subtitle M</u> – The Board adopted a final opinion and order amending the Board’s potentially infectious medical waste (PIMW) rules.	5-0
<u>R18-30</u>	<u>Amendments to 35 Ill. Adm. Code Subtitle O</u> – The Board adopted a second-notice opinion and order proposing to amend the Board’s Right-to-Know regulations.	5-0
<u>R19-19</u>	<u>Proposed Amendments to General Procedural Rules (35 Ill. Adm. Code 101)</u> – The Board adopted a final opinion and order amending the Board’s procedural rules.	5-0
<u>R20-1</u>	<u>UST Update, USEPA Regulations (January 1, 2019 through June 30, 2019)</u> – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its underground storage tank (UST) regulations during the update period of January 1, 2019 through June 30, 2019.	5-0
<u>R20-2</u>	<u>Wastewater Pretreatment Update, USEPA Regulations (January 1, 2019 through June 30, 2019)</u> – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its wastewater pretreatment regulations during the update period of January 1, 2019 through June 30, 2019.	5-0
<u>R20-4</u>	<u>Definition of VOM Update, USEPA Regulations (January 1, 2019 through June 30, 2019)</u> – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its regulation defining “volatile organic material” (VOM) during the update period of January 1, 2019 through June 30, 2019.	5-0
<u>R20-5</u>	<u>SDWA Update, USEPA Regulations (January 1, 2019 through June 30, 2019)</u> – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its National Primary Drinking Water regulations (NPDWRs) during the update period of January 1, 2019 through June 30, 2019.	5-0

<u>R20-6</u>	<u>UIC Update, USEPA Regulations (January 1, 2019 through June 30, 2019)</u> – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its underground injection control (UIC) regulations during the update period of January 1, 2019 through June 30, 2019.	5-0
<u>R20-7</u>	<u>RCRA Subtitle D Update, USEPA Regulations (January 1, 2019 through June 30, 2019)</u> – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its municipal solid waste landfill (MSWLF) regulations during the update period of January 1, 2019 through June 30, 2019.	5-0

ADJUSTED STANDARDS

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ADMINISTRATIVE CITATIONS

<u>AC 19-19</u>	<u>County of LaSalle v. Jake Cook and Sarah Cook</u> – After respondents failed to petition for review, the Board found that respondents violated Sections 21(p)(1), 21(p)(3), and 21(p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), 21(p)(3), and 21(p)(7) (2018)). Because there were three violations of Section 21(p), the Board ordered respondents to pay a civil penalty of \$4,500.	5-0
<u>AC 19-21</u>	<u>IEPA v. PB Acquisition Co. Illinois LLC</u> – After respondent failed to petition for review, the Board found that respondent violated Section 55(k)(1) of the Environmental Protection Act (415 ILCS 5/55(k)(1) (2018)). Because there was one violation of Section 55(k), the Board ordered respondent to pay a civil penalty of \$1,500.	5-0

ADJUDICATORY CASES

<p><u>PCB 07-44</u></p> <p><u>PCB 14-81</u> <u>(Consol.)</u></p>	<p><u>Indian Creek Development Company v. BNSF Railway Company, f/k/a The Burlington Northern and Santa Fe Railway Company</u></p> <p><u>BNSF Railway Company, f/k/a The Burlington Northern and Santa Fe Railway Company v. Indian Creek Development Company and JB Industries, Inc.</u> (Land, Water – Enforcement, Citizens) – The Board granted the parties’ stipulation to dismiss the consolidated citizen enforcement actions and closed the dockets.</p>	<p>5-0</p>
<p><u>PCB 17-45</u></p>	<p><u>People of the State of Illinois v. Magna Tax Service</u> (Land – Enforcement) – The Board granted the People’s motion for leave and accepted the first amended complaint for hearing.</p>	<p>5-0</p>
<p><u>PCB 20-4</u></p>	<p><u>Pro Ag Hartney #3 v. IEPA</u> (Water – Tax Certification) – The Board found and certified that specified facilities of Pro Ag Hartney #3 located in Henderson County are pollution control facilities for preferential tax treatment under the Property Tax Code.</p>	<p>5-0</p>
<p><u>PCB 20-5</u></p>	<p><u>Defenbaugh Livestock v. IEPA</u> (Water – Tax Certification) – The Board found and certified that specified facilities of Defenbaugh Livestock located in Livingston County are pollution control facilities for preferential tax treatment under the Property Tax Code.</p>	<p>5-0</p>
<p><u>PCB 20-6</u></p>	<p><u>General Mills Operations, LLC v. IEPA</u> (UST Appeal) – The Board granted this request for a 90-day extension to file an underground storage tank (UST) appeal on behalf of this DuPage County facility.</p>	<p>5-0</p>
<p><u>PCB 20-7</u></p>	<p><u>GBL Properties, Inc., v. IEPA</u> (UST Appeal) – The Board accepted for hearing this underground storage tank (UST) appeal involving a site in St. Clair County.</p>	<p>5-0</p>
<p><u>PCB 20-8</u></p>	<p><u>People of the State of Illinois v. William Mucci and Debra Mucci, d/b/a B&M Properties; John Kirby; and Polly Kirby</u> (Land, Air – Enforcement) – The Board accepted for hearing this enforcement action involving a site in LaSalle County.</p>	<p>5-0</p>

<u>PCB 20-9</u>	People of the State of Illinois v. Chicago Tire, Inc. and Chicago Industrial Retreaders, Inc. (Air – Enforcement) – The Board accepted for hearing this enforcement action involving a site in Cook County.	5-0
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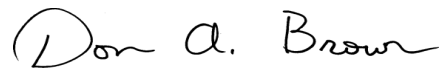
OTHER ITEMS

	Chairman Currie reiterated the Board’s appreciation of Member Papadimitriu for her service while Chairman.	
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ADJOURNMENT

Moved and seconded, by a vote of 5-0, Chairman Currie 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 September 19, 2019, by a vote of 5-0.



Don Anthony Brown, Clerk
Illinois Pollution Control Board