



# IPCB

Illinois Pollution Control Board

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## BOARD MEETING MINUTES

November 7, 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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The Chair, Barbara Flynn Currie, 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 Board's October 17, 2019 regular meeting and Brown Bag Lunch were approved by a vote of 4-0.

## RULEMAKINGS

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|-------------------------------|---|-----|
| <a href="#"><u>R19-18</u></a> | <u>Amendments to Manifesting Requirements: Special Waste Hauling 35 Ill. Adm. Code 809 (Land)</u> – The Board adopted a first-notice opinion and order in this rulemaking to amend the Board’s non-hazardous special waste hauling regulations. | 4-0 |
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## ADJUSTED STANDARDS

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## ADMINISTRATIVE CITATIONS

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## ADJUDICATORY CASES

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|-----------------------------------|---|----------------------------|
| <a href="#"><u>PCB 06-63</u></a>  | <u>Dynegy Midwest Generation, LLC (Baldwin Energy Complex) v. IEPA (Air – Permit Appeal, CAAPP)</u> – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal.  | 4-0                        |
| <a href="#"><u>PCB 06-67</u></a>  | <u>AmerenEnergy Resources Generating Company (Edwards Power Station) v. IEPA (Air – Permit Appeal, CAAPP)</u> – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal.  | 4-0                        |
| <a href="#"><u>PCB 06-126</u></a> | <u>AmerenEnergy Resources Generating Company (Edwards Power Station) v. IEPA (Air – Permit Appeal, CAAPP)</u> – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal.  | 4-0                        |
| <a href="#"><u>PCB 16-61</u></a>  | <u>People of the State of Illinois v. Amsted Rail Company, Inc. (Air – Enforcement)</u> – Upon receiving a stipulation, proposed settlement, and agreed motion for relief from the hearing requirement in this enforcement action involving a facility located in Madison County, the Board ordered publication of the required newspaper notice. | 4-0                        |
| <a href="#"><u>PCB 18-58</u></a>  | <u>Midwest Generation, LLC v. IEPA (Water – Thermal Demonstration)</u> – The Board granted alternative thermal effluent limitations to petitioner.  | 3-0<br>Carter<br>abstained |

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| <a href="#"><u>PCB 19-51</u></a> | <u>People of the State of Illinois v. SE Transport, Inc.</u> (Land – Enforcement, RCRA) – In this enforcement action concerning a Monroe 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) (2018)), accepted a stipulation and proposed settlement, and ordered respondent to pay a total civil penalty of \$400 and to cease and desist from future violations.   | 4-0 |
| <a href="#"><u>PCB 20-8</u></a>  | <u>People of the State of Illinois v. William Mucci and Debra Mucci, d/b/a B&amp;M Properties; John Kirby; and Polly Kirby</u> (Land, Air – Enforcement) – Upon receiving a stipulation, proposed settlement, and agreed motion for relief from the hearing requirement (as to William Mucci and Debra Mucci only) in this enforcement action involving a facility located in LaSalle County, the Board ordered publication of the required newspaper notice.  | 4-0 |
| <a href="#"><u>PCB 20-10</u></a> | <u>Marek Kruk v. New Trier High School</u> (Noise – Enforcement, Citizens) – The Board accepted for hearing this enforcement action involving a site in Cook County.   | 4-0 |
| <a href="#"><u>PCB 20-14</u></a> | <u>People of the State of Illinois v. Clifford-Jacobs Forging Company</u> (Air – Enforcement) – In this enforcement action concerning a Champaign 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) (2018)), 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 20-16</u></a> | <u>People of the State of Illinois v. Ironhustler Excavating, Inc., River City Construction, LLC, and Venovich Construction Co.</u> (Land – Enforcement) – In this enforcement action concerning a Tazewell County facility, the Board granted the People and Venovich Construction relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c)(1) (2018)), accepted a stipulation and proposed settlement between the People and Venovich Construction, and ordered Venovich Construction to pay a total civil penalty of \$2,500 and to cease and desist from future violations. | 4-0 |

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| <a href="#"><u>PCB 20-17</u></a> | <u>People of the State of Illinois v. Mor-Agra Grain Handling, Inc.</u> (Air – Enforcement) – In this enforcement action concerning a Boone 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) (2018)), accepted a stipulation and proposed settlement, and ordered respondent to pay a total civil penalty of \$500 and to cease and desist from future violations. | 4-0 |
| <a href="#"><u>PCB 20-21</u></a> | <u>Forman Creek Farm-Oneida v. IEPA</u> (Water – Tax Certification) – Petitioner has 35 days to contest IEPA’s recommended partial denial.  | 4-0 |
| <a href="#"><u>PCB 20-22</u></a> | <u>Rooth Farms-Joy v. IEPA</u> (Water – Tax Certification) – The Board found and certified that specified facilities of Rooth Farms located in Mercer County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).  | 4-0 |
| <a href="#"><u>PCB 20-23</u></a> | <u>DFI Finisher v. IEPA</u> (Water – Tax Certification) – The Board found and certified that specified facilities of DFI Finisher located in Mercer County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).  | 4-0 |
| <a href="#"><u>PCB 20-24</u></a> | <u>Sheffey Farms, Inc. v. IEPA</u> (Water – Tax Certification) – The Board found and certified that specified facilities of Sheffey Farms located in Stephenson County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).  | 4-0 |
| <a href="#"><u>PCB 20-25</u></a> | <u>Vos Farms-Chadwick v. IEPA</u> (Water – Tax Certification) – The Board found and certified that specified facilities of Vos Farms located in Carroll County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).  | 4-0 |
| <a href="#"><u>PCB 20-26</u></a> | <u>Bane Family Pork Farm v. IEPA</u> (Water – Tax Certification) – The Board found and certified that specified facilities of Bane Family Pork Farm located in McLean County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).  | 4-0 |

**OTHER ITEMS**

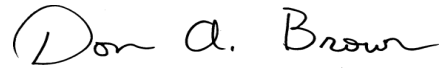
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|  | The Board granted the Chair's Motion to approve the proposed schedule of regular Board meetings for calendar year 2020 (attached as page 6 of these minutes). These open meetings will be held at the times and locations noted in the attachment. | 4-0 |
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**ADJOURNMENT**

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Moved and seconded, by a vote of 4-0, Chair 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 November 21, 2019, by a vote of 4-0.



Don Anthony Brown, Clerk  
Illinois Pollution Control Board

PROPOSED  
BOARD MEETING DATES FOR CALENDAR YEAR 2020

All meetings begin at 11:00 AM.

These Board meetings will be held via videoconference between the Board's offices in Chicago, 100 W. Randolph Street, Videoconference Room 11-512, and Springfield, 1021 N. Grand Avenue East, Conference Room 1244 N, First Floor.

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|------------------------|
| Thursday, January 16   |
| Thursday, February 6   |
| Thursday, February 20  |
| Thursday, March 5      |
| Thursday, March 19     |
| Thursday, April 2      |
| Thursday, April 16     |
| Thursday, May 7        |
| Thursday, May 21       |
| Thursday, June 4       |
| Thursday, June 18      |
| Thursday, July 2       |
| Thursday, July 16      |
| Thursday, August 13    |
| Thursday, September 3  |
| Thursday, September 17 |
| Thursday, October 1    |
| Thursday, October 15   |
| Thursday, November 5   |
| Thursday, November 19  |
| Thursday, December 3   |
| Thursday, December 17  |