



IPCB

Illinois Pollution Control Board

BOARD MEETING MINUTES

January 16, 2020

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 four Board Members answered present.

ANNOUNCEMENTS

The Chair, Barbara Flynn Currie, welcomed members of the public and staff.

PUBLIC REMARKS

None.

APPROVAL OF MINUTES

The minutes of the Board's December 19, 2019 regular meeting were approved by a vote of 4-0.

RULEMAKINGS

<u>R20-18</u>	<u>Proposed New 35 Ill. Adm. Code 250 Ethylene Oxide Ambient Air Monitoring (Air)</u> – The Board adopted a first-notice proposal in this rulemaking to amend the Board’s air pollution regulations.	4-0
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ADJUSTED STANDARDS

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ADMINISTRATIVE CITATIONS

<u>AC 20-1</u>	<u>IEPA v. Sammy J. Shafer, Tammy J. Shafer, and S. Shafer Excavating, Inc. (Land)</u> – The Board granted IEPA’s motion to withdraw the administrative citation, dismissed the case, and closed the docket.	4-0
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ADJUDICATORY CASES

<u>PCB 20-3</u>	<u>People of the State of Illinois v. Signcraft Screenprint, Inc. (Air – Enforcement)</u> – Upon receiving a stipulation, proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving a Jo Daviess County site, the Board ordered publication of the required newspaper notice.	4-0
<u>PCB 20-9</u>	<u>People of the State of Illinois v. Chicago Tire, Inc. and Chicago Industrial Retreaders, Inc. (Air – Enforcement)</u> – Upon receiving a stipulation, proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving a Cook County site, the Board ordered publication of the required newspaper notice.	4-0
<u>PCB 20-28</u>	<u>People of the State of Illinois v. Jane Cooney and Jane Cooney, D.D.S., P.C. (Air, Land – Enforcement)</u> – In this enforcement action concerning two sites located in Vermillion County, 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 respondents to pay a total civil penalty of \$7,500 and to cease and desist from future violations.	4-0

<u>PCB 20-36</u>	<u>Cady Oil Company v. IEPA</u> (UST Appeal) – The Board accepted for hearing this underground storage tank (UST) appeal involving a site in Tazewell County.	4-0
<u>PCB 20-37</u>	<u>Sheffey Farms, Inc. v. IEPA</u> (Water – Tax Certification) – The Board found and certified that Sheffey Farms’ specified facilities 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
<u>PCB 20-40</u>	<u>Parks Finishing E2, LLC v. IEPA</u> (Water – Tax Certification) – The Board found and certified that Parks Finishing E2’s specified facilities located in Vermilion County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).	4-0
<u>PCB 20-41</u>	<u>Dare Farms, LLP v. IEPA</u> (Water – Tax Certification) – To contest IEPA’s recommended partial denial, petitioner must appeal within 35 days after service of IEPA’s recommendation.	4-0
<u>PCB 20-42</u>	<u>Mark Komnick v. IEPA</u> (Water – Tax Certification) – The Board found and certified that Mark Komnick’s specified facilities located in Sangamon County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).	4-0
<u>PCB 20-43</u>	<u>Alex Blythe v. IEPA</u> (Water – Tax Certification) – The Board found and certified that Alex Blythe’s specified facilities located in Hancock County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).	4-0
<u>PCB 20-44</u>	<u>NYG Line Farms, LLC v. IEPA</u> (Water – Tax Certification) – The Board found and certified that NYG Line Farms’ specified facilities located in Henderson County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).	4-0
<u>PCB 20-45</u>	<u>Legend Gilts LLC v. IEPA</u> (Water – Tax Certification) – The Board found and certified that Legend Gilts’ specified facilities located in Greene County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).	4-0

<u>PCB 20-46</u>	<u>Ahmad Samha v. IEPA (UST Appeal)</u> – The Board granted this request for a 90-day extension to file an underground storage tank (UST) appeal on behalf of this McLean County facility.	4-0
<u>PCB 20-47</u>	<u>IMTT Illinois, LLC v. IEPA (Water, NPDES-Permit Appeal)</u> – The Board granted this request for a 30-day extension to file a permit appeal on behalf of this Cook County facility.	4-0

OTHER ITEMS

	Chair’s Note: The Chair stated that, as the Board did not hold any closed meetings from January 1, 2018 through June 30, 2018, no determination on whether to destroy verbatim recordings was necessary for that timeframe under Section 2.06(c) of the Open Meetings Act (5 ILCS 120/2.06(c) (2018)).	
	Chair’s Note: The Chair stated that, as the Board did not hold any closed meetings from July 1, 2019 through December 31, 2019, no determination on whether to keep minutes confidential was necessary for that timeframe under Section 2.06(d) of the Open Meetings Act (5 ILCS 120/2.06(d) (2018)).	

ADJOURNMENT

Moved and seconded, by a vote of 4-0, Chair Currie adjourned the regular Board meeting.



IPCB

Illinois Pollution Control Board

BROWN BAG LUNCH SEMINAR MINUTES

January 16, 2020

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, 1st Floor

Update on the Ethics, Freedom of Information and Open Meetings Acts

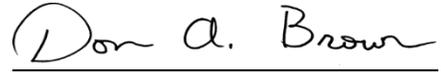
First, Mr. McGill gave background on the Open Meetings Act (OMA) and an overview of recent OMA developments, including Public Acts amending OMA, as well as Public Access Counselor (PAC) decisions interpreting OMA. Next, Ms. Tipsord gave background on the Freedom of Information Act (FOIA) and an overview of recent FOIA developments, including Public Acts amending FOIA, as well as court and PAC decisions interpreting FOIA. Finally, Mr. Fox gave background on the State Officials and Employees Ethics Act (Ethics Act) and an overview of recent Ethics Act developments, including a Public Act amending the Ethics Act, as well as Executive Ethics Commission decisions interpreting the Ethics Act. A copy of their PowerPoint presentation will be posted to the Board's website (pcb.illinois.gov). The Board took no action on this matter.

Marie Tipsord, General Counsel
Tim Fox, Senior Attorney
Richard McGill, Senior Attorney for
Research & Writing

Illinois Pollution Control Board

ADJOURNMENT

I, Don Anthony Brown, Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on February 6, 2020, by a vote of 4-0.



Don Anthony Brown, Clerk
Illinois Pollution Control Board