



IPCB

Illinois Pollution Control Board

BOARD MEETING MINUTES

May 21, 2020

11:00 a.m.

Teleconference

Consistent with the Governor's Executive Orders 2020-07, 2020-32, and 2020-33, issued in response to the Coronavirus Disease 2019 (COVID-19) pandemic, the Board conducted this regular open meeting by teleconference.

The agenda provided dial-in information for members of the public and explained how they could use their telephones to participate in the meeting—whether by listening, speaking during Public Remarks, or both. Further, the agenda stated that the operator would ask for the name of each member of the public calling in and explain what to do for those who wished to speak. Finally, as noted in the agenda, the meeting was audio recorded.

ROLL CALL

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

ANNOUNCEMENTS

Chair Currie welcomed members of the public and staff.

PUBLIC REMARKS

None.

APPROVAL OF MINUTES

The minutes of the Board's April 16, 2020 regular meeting were approved by a vote of 4-0.

RULEMAKINGS

<p><u>R19-14</u></p> <p><u>R20-3</u></p> <p><u>R20-11 (consol.)</u></p>	<p><u>National Ambient Air Quality Standards, USEPA Amendments (July 1, 2018 through December 31, 2018)</u></p> <p><u>National Ambient Air Quality Standards, USEPA Amendments (January 1, 2019 through June 30, 2019)</u></p> <p><u>National Ambient Air Quality Standards, USEPA Amendments (July 1, 2019 through December 31, 2019) (Air)</u> – The Board adopted a proposal for public comment in this consolidated “identical-in-substance” rulemaking to amend the Board’s air pollution control regulations.</p>	<p>4-0</p>
<p><u>R19-15</u></p>	<p><u>Definition of VOM Update, USEPA Regulations (July 1, 2018 through December 31, 2018) (Air)</u> – The Board adopted a proposal for public comment in this “identical-in-substance” rulemaking to amend the Board’s air pollution control regulations.</p>	<p>4-0</p>
<p><u>R19-18</u></p>	<p><u>Amendments to Manifesting Requirements: Special Waste Hauling 35 Ill. Adm. Code 809 (Land)</u> – The Board adopted a second-notice proposal in this rulemaking to amend the Board’s non-hazardous special waste hauling regulations.</p>	<p>4-0</p>
<p><u>R20-8</u></p> <p><u>R20-16 (consol.)</u></p>	<p><u>RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (January 1, 2019 through June 30, 2019) and RCRA Subtitle D (MSWLF) Corrections</u></p> <p><u>RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (July 1, 2019 through December 31, 2019) (Land)</u> – The Board adopted a proposal for public comment in this consolidated “identical-in-substance” rulemaking to amend the Board’s hazardous waste regulations and municipal solid waste landfill regulations.</p>	<p>4-0</p>
<p><u>R20-9</u></p>	<p><u>UST Update, USEPA Regulations (July 1, 2019 through December 31, 2019) (Land)</u> – The Board dismissed this reserved “identical-in-substance” docket because the United States Environmental Protection Agency did not amend its corresponding underground storage tank regulations during the update period of July 1, 2019 through December 31, 2019.</p>	<p>4-0</p>

<u>R20-10</u>	<u>Wastewater Pretreatment Update, USEPA Regulations (July 1, 2019 through December 31, 2019) (Water)</u> – The Board dismissed this reserved “identical-in-substance” docket because the United States Environmental Protection Agency did not amend its corresponding wastewater pretreatment regulations during the update period of July 1, 2019 through December 31, 2019.	4-0
<u>R20-12</u>	<u>Definition of VOM Update, USEPA Regulations (July 1, 2019 through December 31, 2019) (Air)</u> – The Board dismissed this reserved “identical-in-substance” docket because the United States Environmental Protection Agency did not amend its corresponding air pollution control regulations during the update period of July 1, 2019 through December 31, 2019.	4-0
<u>R20-13</u>	<u>SDWA Update, USEPA Regulations (July 1, 2019 through December 31, 2019) (Public Water Supply)</u> – The Board dismissed this reserved “identical-in-substance” docket because the United States Environmental Protection Agency did not amend its corresponding National Primary Drinking Water regulations (NPDWRs) during the update period of July 1, 2019 through December 31, 2019.	4-0
<u>R20-14</u>	<u>UIC Update, USEPA Regulations (July 1, 2019 through December 31, 2019) (Land)</u> – The Board dismissed this reserved “identical-in-substance” docket because the United States Environmental Protection Agency did not amend its corresponding underground injection control regulations during the update period of July 1, 2019 through December 31, 2019.	4-0
<u>R20-15</u>	<u>RCRA Subtitle D (MSWLF) Update, USEPA Regulations (July 1, 2019 through December 31, 2019) (Land)</u> – The Board dismissed this reserved “identical-in-substance” docket because the United States Environmental Protection Agency did not amend its corresponding municipal solid waste landfill regulations during the update period of July 1, 2019 through December 31, 2019.	4-0
<u>R20-21</u>	<u>Cross Connection Control Device Inspectors of Public Water Supplies at 35 Ill. Adm. Code 604.1520 (Public Water Supply)</u> – The Board adopted a first-notice proposal in this rulemaking to amend the Board’s public water supply regulations.	4-0

ADJUSTED STANDARDS

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ADMINISTRATIVE CITATIONS

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ADJUDICATORY CASES

<u>PCB 04-110</u>	<u>Board of Trustees of Eastern Illinois University v. IEPA</u> (Air, CAAPP – Permit Appeal) – The Board granted petitioner’s motion for voluntary dismissal of this Clean Air Act Permit Program permit appeal.	4-0
<u>PCB 04-115</u>	<u>SABIC Innovative Plastics US, LLC v. IEPA</u> (Air, CAAPP – Permit Appeal) – The Board granted petitioner’s motion for voluntary dismissal of this Clean Air Act Permit Program permit appeal.	4-0
<u>PCB 04-141</u>	<u>Illinois State Toll Highway Authority v. IEPA</u> (UST Appeal) – The Board granted petitioner’s motion for voluntary dismissal of this underground storage tank appeal.	4-0
<u>PCB 06-57</u>	<u>Midwest Generation, LLC, Fisk Generating Station v. IEPA</u> (Air, CAAPP – Permit Appeal) – The Board granted the joint motion to lift the stay of uncontested Clean Air Act Permit Program (CAAPP) permit conditions and, while retaining jurisdiction over the appeal, remand the CAAPP permit to respondent for revision.	4-0
<u>PCB 11-50</u>	<u>People of the State of Illinois v. The City of Morris and Community Landfill Company, Inc.</u> (Land – Enforcement) – The Board denied the City of Morris’ motion to dismiss for want of prosecution.	4-0
<u>PCB 15-112</u>	<u>People of the State of Illinois v. Incobrasa Industries, Ltd.</u> (Air – Enforcement) – Upon receiving a stipulation, a proposed settlement agreement, and an agreed motion for relief from the hearing requirement in this air enforcement action involving a facility located in Iroquois County, the Board ordered publication of the required newspaper notice.	4-0

<u>PCB 17-19</u>	<u>People of the State of Illinois v. Cranbrook Farms, LLC</u> (Water – Enforcement) – In this water enforcement action concerning a Henry 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 settlement agreement, and ordered respondent to pay a total civil penalty of \$1,500 and to cease and desist from further violations.	4-0
<u>PCB 19-2</u>	<u>Reliable Stores, Inc. v. Office of the State Fire Marshal</u> (UST Appeal) – Held	
<u>PCB 20-47</u>	<u>IMTT Illinois, LLC v. IEPA</u> (Water, NPDES – Permit Appeal) – The Board accepted petitioner’s amended petition for hearing in this National Pollutant Discharge Elimination System permit appeal involving a site in Cook County.	4-0
<u>PCB 20-63</u>	<u>People of the State of Illinois v. Country Squire Cleaners, Inc.</u> (Air – Enforcement) – In this air 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 settlement agreement, and ordered respondent to pay a total civil penalty of \$5,000 and to cease and desist from further violations.	4-0
<u>PCB 20-64</u>	<u>People of the State of Illinois v. R & H Farm & Home, Inc. d/b/a R & H Service Center</u> (Land – Enforcement) – In this land enforcement action concerning a Menard 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 settlement agreement, and ordered respondent to pay a total civil penalty of \$3,500 and to cease and desist from further violations.	4-0
<u>PCB 20-68</u>	<u>People of the State of Illinois v. Cerro Flow Products, LLC</u> (Land, RCRA – Enforcement) – In this land enforcement action concerning a St. Clair 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 settlement agreement, and ordered respondent to pay a total civil penalty of \$20,000 and to cease and desist from further violations.	4-0

<u>PCB 20-70</u>	<u>People of the State of Illinois v. North American E.N., Inc.</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) (2018)), accepted a stipulation and settlement agreement, and ordered respondent to pay a total civil penalty of \$7,000 and to cease and desist from further violations.	4-0
<u>PCB 20-72</u>	<u>M. Sidhu Enterprises, Inc, v. IEPA</u> (UST Appeal) – The Board accepted petitioner’s petition for hearing in this underground storage tank appeal involving a site in Fulton County.	4-0
<u>PCB 20-73</u>	<u>People of the State of Illinois v. BSREP II West Jackson LLC</u> (Air – Enforcement) – Upon receiving a complaint, a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving a site in Cook County, the Board ordered publication of the required newspaper notice.	4-0
<u>PCB 20-74</u>	<u>Thorntons, LLC v. IEPA</u> (UST Appeal) – The Board granted this request for a 90-day extension to file an underground storage tank appeal on behalf of this Kane County facility.	4-0

OTHER ITEMS

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ADJOURNMENT

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 June 18, 2020, by a vote of 4-0.



Don Anthony Brown, Clerk
Illinois Pollution Control Board