



# IPCB

## Illinois Pollution Control Board

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### **BOARD MEETING MINUTES**

**September 17, 2020**

**11:00 a.m.**

#### **Teleconference**

Consistent with the Governor's Disaster Proclamation of August 21, 2020, issued in response to the Coronavirus Disease 2019 (COVID-19) pandemic, as well as Public Act 101-0640, effective June 12, 2020, 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**

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

#### **ANNOUNCEMENTS**

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Chair Currie welcomed members of the public and staff. The Chair also welcomed newly appointed Board Member Jennifer Van Wie. In addition, the Chair bid former Board Member Brenda K. Carter a fond farewell and thanked her for her years of service on the Board.

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#### **PUBLIC REMARKS**

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None.

#### **APPROVAL OF MINUTES**

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The minutes of the Board's August 27, 2020 special Board meeting were approved by a roll call vote of 4-0.

## RULEMAKINGS

<a href="#"><u>R21-1</u></a>	<u>National Ambient Air Quality Standards, USEPA Amendments (January 1, 2020 through June 30, 2020) (Air)</u> – For public comment and hearing, the Board proposed rule amendments to Illinois’ ambient air quality standards in this identical-in-substance rulemaking.	4-0 roll call vote
<a href="#"><u>R21-8</u></a>	<u>Wastewater Pretreatment Update, USEPA Amendments (January 21, 2020 through June 30, 2020) (Water)</u> – For public comment, the Board proposed rule amendments to Illinois’ wastewater pretreatment standards in this identical-in-substance rulemaking.	4-0 roll call vote

## ADJUSTED STANDARDS

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## ADMINISTRATIVE CITATIONS

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## ADJUDICATORY CASES

<a href="#"><u>PCB 17-45</u></a>	<u>People of the State of Illinois v. Magna Tax Service Co., Inc. and Dennis Ballinger (Land, Water – Enforcement)</u> – In this enforcement action concerning a Colesk County site, 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 Magna and Ballinger to pay a total civil penalty of \$3,000 and to cease and desist from further violations.	4-0 roll call vote
<a href="#"><u>PCB 20-74</u></a>	<u>Thorntons, LLC v. IEPA (UST Appeal)</u> – Having previously extended the period to appeal IEPA’s underground storage tanke (UST) determination concerning Thortons’ Kane County site, the Board dismissed the case because Thorntons failed to file an appeal.	4-0 roll call vote

<p><a href="#"><u>PCB 20-98</u></a></p>	<p><u>People of the State of Illinois v. Aux Sable Liquid Products, Inc., Aux Sable Liquid Products LP, Clean Harbors Environmental Services, Inc., and Waste Management of Illinois, Inc. (Land, RCRA – Enforcement)</u> – The Board issued two orders in this enforcement action involving sites located in Grundy and Will Counties.</p> <p>First, the Board (1) granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c)(1) (2018)) and accepted a stipulation and proposed settlement between the People, Clean Harbors, and Waste Management; (2) ordered Clean Harbors to pay a \$14,750 civil penalty; (3) ordered Waste Management to pay a \$14,750 civil penalty; and (4) ordered Clean Harbors and Waste Management to cease and desist from further violations.</p> <p>Second, upon receiving a stipulation and proposed settlement between the People and the two Aux Sable respondents, along with their agreed motion for relief from the hearing requirement, the Board ordered publication of the required newspaper notice.</p>	<p>4-0 roll call vote</p>
<p><a href="#"><u>PCB 21-1</u></a></p>	<p><u>People of the State of Illinois v. TFC Group, LLC (Air – Enforcement)</u> – In this enforcement action concerning a DuPage 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 TFC Group to pay a \$5,000 civil penalty and to cease and desist from further violations.</p>	<p>4-0 roll call vote</p>
<p><a href="#"><u>PCB 21-7</u></a></p>	<p><u>General III, LLC v. IEPA (Air – Permit Appeal)</u> – The Board granted General III’s motion to stay contested permit conditions.</p>	<p>4-0 roll call vote</p>
<p><a href="#"><u>PCB 21-14</u></a></p>	<p><u>Midwest Generation, LLC Dry Sorbent Injection Systems and Related Improvements to Electrostatic Precipitators for Powerton Generating Station, Unit Nos. 4 &amp; 5 v. IEPA (Air – Tax Certification)</u> – The Board found and certified that Midwest Generation’s specified facilities located in Tazewell County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).</p>	<p>4-0 roll call vote</p>

<a href="#"><u>PCB 21-15</u></a>	<u>Midwest Generation, LLC Dry Sorbent Injection Systems and Related Improvements to Electrostatic Precipitators for Waukegan Generating Station, Unit Nos. 7 &amp; 8 v. IEPA (Air – Tax Certification)</u> – The Board found and certified that Midwest Generation’s specified facilities located in Lake County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).	4-0 roll call vote
<a href="#"><u>PCB 21-17</u></a>	<u>WIN Production, LLC-Astoria v. IEPA (Water – Tax Certification)</u> – The Board found and certified that WIN Production’s specified facilities located in Fulton County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).	4-0 roll call vote
<a href="#"><u>PCB 21-18</u></a>	<u>People of the State of Illinois v. Reid Murdoch, LLC, d/b/a/ Reid Murdoch Center (NPDES, Water – Enforcement)</u> – The Board accepted the People’s complaint for hearing concerning Murdoch’s Cook County facility.	4-0 roll call vote

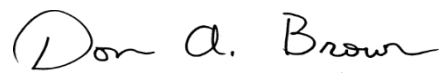
**OTHER ITEMS**

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**ADJOURNMENT**

Moved and seconded, by a roll call 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 October 1, 2020, by a vote of 4-0.



Don Anthony Brown, Clerk  
Illinois Pollution Control Board