

# IPCB

Illinois Pollution Control Board

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## ANNUAL REPORT

Fiscal Year

2020

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# ILLINOIS POLLUTION CONTROL BOARD



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## **MISSION STATEMENT**

The Illinois Environmental Protection Act was enacted in 1970 for the purpose of establishing a comprehensive State-wide program to restore, protect, and enhance the quality of the environment in our State. To implement this mandate, the Act established the Illinois Pollution Control Board and accorded it the authority to adopt environmental standards and regulations for the State, and to adjudicate contested cases arising from the Act and from the regulations.

With respect for this mandate, and with recognition for the constitutional right of the citizens of Illinois to enjoy a clean environment and to participate in State decision-making toward that end, the Board dedicates itself to:

- ❖ The establishment of coherent, uniform, and workable environmental standards and regulations that restore, protect, and enhance the quality of Illinois' environment;
- ❖ Impartial decision-making that resolves environmental disputes in a manner that brings to bear technical and legal expertise, public participation, and judicial integrity; and
- ❖ Government leadership and public policy guidance for the protection and preservation of Illinois' environment and natural resources, so that they can be enjoyed by future generations of Illinoisans.





## IPCB

Illinois Pollution Control Board

October 2020

### GOVERNOR

JB Pritzker



### CHAIR

Barbara Flynn Currie



### MEMBERS

Cynthia Santos  
Anastasia Palivos  
Jennifer Van Wie



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### Honorable JB Pritzker, Governor of Illinois, and Members of the General Assembly:

The Illinois Pollution Control Board is proud to present its Annual Report for Fiscal Year 2020—the 50th year of the Board’s existence. Here’s a brief description of the Board’s statutory roles; highlights of some significant Board proceedings from this past year, as well as the Board’s adaptation to the COVID-19 pandemic; a discussion of the Board’s golden anniversary; and a preview of the balance of this report.

**Board Roles.** Under its founding statute, the Environmental Protection Act (Act) (415 ILCS 5), the Board primarily conducts two types of proceedings: rulemakings and adjudications. Through rulemakings, the Board adopts regulations that establish Illinois’ environmental standards and requirements for ensuring clean air, land, and water. Through adjudications, the Board decides contested environmental cases, including complaints that allege violations of the Act and Board regulations; petitions that ask for review of permitting and leaking underground storage tank determinations made by the Illinois Environmental Protection Agency; petitions that ask for review of pollution control facility siting determinations made by local governments; and variance and adjusted standard petitions that seek relief from Board regulations. Three years ago, the Act was amended to task the Board with conducting a third type of proceeding, one that is neither a rulemaking nor an adjudication: a time-limited water quality standard (TLWQS) proceeding, which is a form of temporary regulatory relief that the Board may grant for a single discharger, multiple dischargers, a watershed, a water body, or a waterbody segment.

**FY20 Proceedings and COVID-19.** The Board usually has about 150 to 200 proceedings pending before it at any one time. During Fiscal Year 2020, the Board continued to conduct these proceedings while operating within its budget. The Board completely reorganized and updated Illinois’ regulations on public water supplies ([docket R18-17](#)). The Board also amended the Multi-Pollutant Standards of the air pollution control rules, giving operational flexibility to specified downstate coal-fired power plants while reducing allowable



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sulfur dioxide and nitrogen oxides emissions ([docket R18-20](#)). Additionally, in an enforcement action brought by citizen groups, the Board found statutory and regulatory violations related to coal-ash handling at four electricity-generating stations ([docket PCB 13-15](#)). And Fiscal Year 2020 saw the Board's first TLWQS public hearing ([dockets PCB 16-14 et al.](#)).

During roughly the last third of this fiscal year and continuing today, the Board, like its sister agencies, has been doing its part to help prevent the spread of COVID-19, as directed by Governor Pritzker. The Board has restricted its in-person operations, but its core activities have continued apace. Whether through social distancing or remote attendance, new ways have been implemented to safely conduct Board meetings and hearings, ensuring that public participation—a hallmark of the Act—has in no way suffered.

**50 Years.** The fiscal year ended on the eve of the Board's 50th anniversary (1970-2020) as the Board and the Act turned 50 on July 1, 2020. A speakers' series leading up to this golden anniversary had to be postponed due to the pandemic. But the milestone did not go unobserved. Governor Pritzker proclaimed July 1, 2020, as "Pollution Control Board Day" in the State of Illinois. In his proclamation, the Governor commended the Board "for the important role it has played since 1970 in protecting the environment of Illinois and the health and well-being of its people." In addition, the Board published a special report entitled *At the Half-Century Mark: Illinois' Pollution Control Board and Environmental Protection Act*. That report includes the Governor's proclamation, along with congratulatory letters to the Board from House Speaker Madigan and Senate President Harmon. The report also features articles on the legislative battle to pass the landmark environmental law; the revolutionary aspects of the Act; and the early years of the Board. You can find the 50th anniversary report and related historical documents on the Board's website (<https://pcb.illinois.gov/>). Just look for this logo:



**Annual Report.** This FY20 Annual Report covers two areas:

- ❖ Completed rulemakings of the Board; and
- ❖ Enacted legislation—from the General Assembly's 2020 Session—related to the Board's work.

In a typical fiscal year, the Board's Annual Report would also discuss judicial decisions issued on appeal of Board final orders. Under the Act, final orders of the Board are appealable directly to the Illinois appellate court (rather than to the circuit courts) and from there to the Illinois Supreme Court. During Fiscal Year 2020, however, no final orders of the Board were on appeal.

If you have any questions about these materials or the Board, please let me know.

Sincerely,

A handwritten signature in black ink that reads "Barbara Flynn Currie".

Barbara Flynn Currie  
Chair





## ❖ Chair Barbara Flynn Currie



Barbara Flynn Currie served many terms in the Illinois House of Representatives. In 1997, she became House Majority Leader—the first woman to hold the title—and held the post until she retired from the General Assembly at the beginning of 2019. She sponsored the State’s first Freedom of Information Act and the Illinois Earned Income Tax Credit. She was a champion for clean air and water; she spearheaded reforms in State funding for public education and in the juvenile justice system. She has been honored by many organizations, including the Illinois ACLU, Planned Parenthood, Illinois AFL-CIO, Illinois Environmental Council, Friends of the Parks, the Illinois Council Against Handgun Violence, and the Illinois Campaign for Political Reform. Barbara earned her A.B. and M.A. degrees from the University of Chicago.

## ❖ Cynthia Santos



Board Member Santos was appointed to the Board by Governor Bruce Rauner in December 2016. Before joining the Board, Ms. Santos served 20 years as an elected Commissioner of the Metropolitan Water Reclamation District of Greater Chicago. During her tenure there, she was instrumental in the development of the District’s Stormwater Management Program. She also served as the District’s representative on the City of Chicago’s Public Building Commission, where she was involved in the construction of numerous schools, libraries, and police and fire stations. Ms. Santos earned a bachelor’s degree in political science, summa cum laude, as well as a master’s degree in political science and public policy from Northeastern Illinois University. Ms. Santos resides in Chicago.



### ❖ Anastasia Palivos

Board Member Palivos was appointed to the Board by Governor JB Pritzker in April 2019. Anastasia Palivos was Commissioner of the Illinois Commerce Commission from January 2018 to February 2019. An Illinois native, Palivos was the first Greek-American woman appointed to the Commission and, at 28, the youngest-ever appointed Commissioner. At the Commission, Palivos hosted several policy sessions investigating various energy issues, including electric vehicle deployment, transportation electrification, energy storage, wind energy, smart apps for utility operations, and gas pipeline infrastructure and safety. Prior to her appointment as Commissioner, Palivos was a legal and policy advisor to the Commission's Chair. She previously worked as a business development strategy analyst for a Chicago-based health intelligence firm. She received her Juris Doctor and Bachelor of Arts in political science from DePaul University. Palivos is a founding board member of the Hippocratic Cancer Research Foundation, which provides philanthropic support for cancer research teams at Robert H. Lurie Comprehensive Cancer Center of Northwestern University.



### ❖ Jennifer Van Wie

Board Member Jennifer Van Wie was appointed to the Board by Governor JB Pritzker in August 2020. She previously worked as an Assistant Attorney General in the Illinois Attorney General's Office. While in the AGO Civil Environmental Bureau, she handled numerous significant cases dealing with air, water, and land pollution and natural resource damages. Ms. Van Wie also has experience in private practice in both Illinois and Wisconsin where she advised clients on state and federal environmental regulations, including matters specific to the Clean Air Act, Clean Water Act, Resource Conservation and Recovery Act (RCRA), and Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

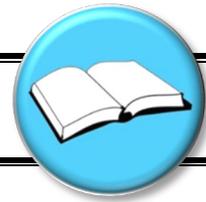


Ms. Van Wie has been active in state and local bar associations and was a co-chair of the Environmental Law Committee of the Chicago Bar Association. Additionally, Ms. Van Wie co-authored an early version of Senate Bill 0550 (now Public Act 99-0922) which required that schools test their potable water sources for lead contamination, and for community water supplies to provide lead in drinking water notifications and inventories. Ms. Van Wie has focused her legal practice exclusively on environmental issues for over 18 years.

Ms. Van Wie received her Bachelor of Science Degree in Public Policy from Indiana University. She received her Juris Doctorate and Masters of Studies in Environmental Law from Vermont Law School.



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## INTRODUCTION

Under the Environmental Protection Act (Act) (415 ILCS 5), the Board is responsible for adopting the State’s environmental regulations by conducting rulemaking proceedings. Rulemaking generally involves the Board holding quasi-legislative hearings and receiving written public comments on regulatory proposals. The proposals are typically filed by the Illinois Environmental Protection Agency, although the Act provides that they may be filed by “[a]ny person.” 415 ILCS 5/28(a). Based on the record developed during the rulemaking, the Board issues its opinions and orders, addressing the issues and the Board’s reasons for its decisions, in addition to proposing or adopting any new or amended rule language.

The Board’s proposed rules are published in the *Illinois Register* at first notice and later reviewed by the Joint Committee on Administrative Rules (JCAR) at second notice. At final notice, the Board files its adopted rules with the Index Department of the Office of the Secretary of State for both publication in the *Illinois Register* and codification in the Illinois Administrative Code. Besides providing the Board with general rulemaking authority to adopt Statewide and site-specific rules (415 ILCS 5/27, 28), the Act authorizes the Board to conduct expedited and streamlined rulemakings. For example, the Board uses a “fast-track” procedure to adopt rules required by the federal Clean Air Act as amended by the federal Clean Air Act Amendments of 1990 (415 ILCS 5/28.5). Also, after a public comment period but without JCAR’s second-notice review and usually without holding a hearing, the Board adopts rules “identical in substance” to those of the United States Environmental Protection Agency concerning specified subjects, including drinking water, hazardous waste, underground injection control, and wastewater pretreatment (415 ILCS 5/7.2).

The rulemakings completed by the Board in Fiscal Year 2020 are summarized below, followed by a list of rulemakings pending at the end of Fiscal Year 2020.

## RULEMAKINGS COMPLETED IN FISCAL YEAR 2020

### Board Adopts Final Amendments to its Public Water Supplies Rules

- ❖ On July 25, 2019, the Board adopted final amendments to its public water supplies rules. Less than two months earlier, the Board submitted proposed amendments to the Joint Committee on Administrative Rules (JCAR) for second-notice review. At its meeting on July 16, 2019, JCAR issued its “Certification of No Objection,” subject to a limited number of agreed changes to the rules. The final amendments became effective on July 26, 2019.



This rulemaking was initiated when the Illinois Environmental Protection Agency (IEPA) proposed that the Board amend its public water supplies rules by adopting a new Part 604 entitled “Design, Operation and Maintenance Criteria.” IEPA’s Part 653 rules for designing, operating, and maintaining community water supplies were last updated in 1985. IEPA asserted that its proposal would clarify these rules by consolidating them into a single comprehensive Part of the Board’s rules. Ultimately, the Board adopted a new Part 604, amended Parts 601, 602, and 611, and repealed Part 607. With the Board’s final action, IEPA planned to repeal Parts 651, 653, and 654 of its rules.

The Board’s rulemaking is captioned Public Water Supplies: Proposed New 35 Ill. Adm. Code 604 and Amendments to 35 Ill. Adm. Code Parts 601, 602, 607, and 611, [docket R18-17](#).

### **Board Adopts Final Amendments to MPS Rule for Downstate Coal-Fired Power Plant Emissions**

- ❖ On August 22, 2019, the Board adopted final amendments to the Multi-Pollutant Standards (MPS). The Illinois Environmental Protection Agency (IEPA) initiated this rulemaking to provide operational flexibility by combining the two current MPS groups into one group and replacing the current rate-based emission standards for sulfur dioxide (SO<sub>2</sub>) and nitrogen oxides (NO<sub>x</sub>) with annual mass-based limits. The final amendments adopted those two measures but imposed more stringent limits than IEPA had originally proposed.

Specifically, the final amendments set annual mass-based caps for SO<sub>2</sub> (34,500 tons per year) and NO<sub>x</sub> (19,000 tons per year), as well as an 11,500-ton NO<sub>x</sub> cap for the ozone season. The amendments also included an annual plant-specific cap of 19,680 tons of SO<sub>2</sub> for Joppa Power Station. These mass caps reduced allowable emissions from the MPS rule by 31,854 tons for SO<sub>2</sub> annually, 13,841 tons for NO<sub>x</sub> annually, and 2,266 tons for NO<sub>x</sub> during the ozone season. The amendments also required further decreases in the mass caps when an electric generating unit (EGU) is transferred, permanently shut down, or temporarily shut down. Additionally, the amendments required the permanent reduction of at least 2,000 megawatts of coal-fired electric generation from one or more EGUs in the MPS group.

The Board determined, based upon the rulemaking record, that the amendments are protective of human health and the environment, including air quality around the MPS plants. The record demonstrated that the amendments would not interfere with the National Ambient Air Quality Standards (NAAQS). The United States Environmental Protection Agency established the NAAQS to protect public health—including the health of sensitive populations—with an adequate margin of safety. Moreover, in the unlikely event that emissions from EGUs lacking pollution controls approach levels threatening the NAAQS, the federal Clean Air Act would require IEPA action to control those emissions.

The Joint Committee on Administrative Rules, at its August 13, 2019 meeting, issued a “Certification of No Objection” to the second-notice amendments. The final amendments took effect on August 23, 2019. The rulemaking is captioned Amendments to 35 Ill. Adm. Code 225.233, Multi-Pollutant Standard (MPS), [docket R18-20](#).

### **Board Adopts Final Amendments to its General Procedural Rules**

- ❖ On August 22, 2019, the Board adopted final amendments to Part 101 of its procedural rules (35 Ill. Adm. Code 101). Part 101 contains the Board’s general rules of procedure, which apply to all types of Board proceedings. The adopted amendments cover four subjects. First, persons offering exhibits at adjudicatory or time-limited water quality standard (TLWQS) hearings must



electronically file those exhibits after hearing with the Clerk’s Office. Second, under amendments to the Illinois Administrative Procedure Act (P.A. 100-880, eff. Jan. 1, 2019), the Board will e-mail serve its final adjudicatory orders on parties consenting to e-mail service, except for final enforcement orders. Third, the Board specified Part 101’s applicability to TLWQS proceedings, which do not fall within either of the traditional types of Board proceedings—rulemakings and adjudicatory cases. Fourth, the Board clarified, updated, and streamlined Part 101, consistent with the Board’s regulatory review initiative.

At its August 13, 2019 meeting, the Joint Committee on Administrative Rules issued a “Certification of No Objection” to the Board’s proposed second-notice amendments, subject to a handful of non-substantive changes which the Board included in the final rules. On August 22, 2019, the final amendments became effective. This rulemaking is captioned Proposed Amendments to General Procedural Rules (35 Ill. Adm. Code 101), [docket R19-19](#).

### **Board Adopts Final Amendments to its Potentially Infectious Medical Waste Rules**

- ❖ On August 22, 2019, the Board adopted final, non-substantive amendments to its potentially infectious medical waste (PIMW) rules (35 Ill. Adm. Code 1420, 1421, 1422). The PIMW rules address the treatment, packaging, labeling, storage, transportation, and disposal of PIMW, and apply to PIMW generators, transporters, and receiving facilities. These final amendments streamlined, updated, and clarified the PIMW rules, consistent with the Board’s regulatory review initiative.

At its August 13, 2019 meeting, the Joint Committee on Administrative Rules issued a “Certification of No Objection” to the Board’s proposed second-notice amendments, subject to a limited number of non-substantive changes which the Board included in the final rules. On August 30, 2019, the final amendments took effect. This rulemaking is captioned Amendments to 35 Ill. Adm. Code Subtitle M: Biological Waste, [docket R18-29](#).

### **Board Adopts Final Amendments to its Mine-Related Water Pollution Rules**

- ❖ On September 19, 2019, the Board adopted final, non-substantive amendments to its mine-related water pollution rules (35 Ill. Adm. Code 401-406). The Board’s rules on mining operations and mine-related activities establish a permit system that addresses both State and National Pollutant Discharge Elimination System permits. The rules also provide water quality and effluent standards for mining operations and mine-related activities. The adopted amendments streamlined, updated, and clarified these rules, consistent with the Board’s regulatory review initiative.

At its September 17, 2019 meeting, the Joint Committee on Administrative Rules issued a “Certification of No Objection” to the Board’s proposed second-notice amendments, subject to a handful of non-substantive changes which the Board included in the final rule. On September 25, 2019, the final amendments became effective. This rulemaking is captioned Amendments to 35 Ill. Adm. Code Subtitle D: Mine-Related Water Pollution, [docket R18-24](#).

### **Board Adopts Final Amendments to its Right-to-Know Rules**

- ❖ On September 19, 2019, the Board adopted final, non-substantive amendments to its right-to-know rules (35 Ill. Adm. Code 1600). The Board’s right-to-know rules address soil, soil gas, and groundwater contamination threatening potable water supply wells and the response action required in handling these threats. The rules also provide guidelines for performing potable water supply



well surveys and community relations activities. The adopted amendments streamlined, updated, and clarified these rules, consistent with the Board’s regulatory review initiative.

At its September 17, 2019 meeting, the Joint Committee on Administrative Rules issued a “Certification of No Objection” to the Board’s proposed second-notice amendments, subject to a small number of non-substantive changes which the Board included in the final rules. On September 25, 2019, the final amendments took effect. This rulemaking is captioned Amendments to 35 Ill. Adm. Code Subtitle O: Right to Know, [docket R18-30](#).

### **Board Adopts Emergency Rule Extending Period to Renew Approvals for Cross Connection Control Device Inspectors of Public Water Supplies**

- ❖ On April 16, 2020, the Board issued an opinion and order adopting an emergency rule that extended the period for cross connection control device inspectors (CCCDIs) to renew their annual CCCDI approvals. The Board received the emergency rulemaking proposal from the Illinois Environmental Protection Agency (IEPA) on April 10, 2020.

CCCDIs play a significant role in protecting public health and welfare by helping to ensure that public water supplies are protected from connections to and contamination by unsafe sources of water. Generally, a CCCDI must renew his or her CCCDI approval each year between May 1 and June 30. *See* 35 Ill. Adm. Code 604.1510(b)(2). IEPA’s emergency rulemaking proposal sought to extend this renewal period for 2020 because of delays caused by the COVID-19 pandemic. The Illinois Department of Public Health, due to COVID-19, had adopted emergency rules extending the deadline for plumbers’ license renewals, and CCCDIs must be licensed plumbers. Based on Governor JB Pritzker’s proclaimed state of emergency in response to the COVID-19 pandemic, as well as related factors, including a potential shortage in approved CCCDIs, the Board found that an emergency existed. The Board therefore adopted an emergency rule at 35 Ill. Adm. Code 604.1520 (“COVID-19 Emergency Provisions”), which changed the 2020 approval renewal period for CCCDIs to between August 31 and October 30.

The emergency rule, which took effect on April 17, 2020, would remain in effect up to 150 days. The Board invited public comment on the fact that the emergency rule, having by law a maximum duration of 150 days, would expire before the extended deadline of October 30, 2020. To address this gap, the Board opened a separate docket (R20-21) for a general rulemaking. The emergency rulemaking is captioned Emergency Rulemaking for Cross Connection Control Device Inspectors of Public Water Supplies at 35 Ill. Adm. Code 604.1520, [docket R20-20](#).

### **Board Adopts “Identical-in-Substance” Amendments to Drinking Water Rules**

- ❖ On April 16, 2020, the Board adopted amendments to Illinois’ primary drinking water regulations in 35 Ill. Adm. Code 611. The amendments are “identical in substance” to rule amendments adopted by the United States Environmental Protection Agency (USEPA) during the second half of 2018. Specifically, USEPA adopted approximately 100 new methods for demonstrating compliance with the National Primary Drinking Water Regulations. Most were updated methods appearing in the recent 23rd edition of *Standard Methods for Examination of Water and Wastewater*.

In addition, the Board reorganized Part 611’s incorporations by reference to simplify them, make them easier to use, and facilitate future amendments. The Board also updated sources for USEPA methods, corrected some methods’ listings, and deleted two methods: one was a national standard no longer required; the other was not available from its former federal source or any source the



Board could find. The Board’s rulemaking is captioned SDWA Update, USEPA Amendments (July 1, 2018 through December 31, 2018), [docket R19-16](#).

## **RULEMAKINGS PENDING AT END OF FISCAL YEAR 2020**

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- ❖ Amendments to 35 Ill. Adm. Code Subtitle B: Air Pollution, [docket R18-21](#)
- ❖ Amendments to 35 Ill. Adm. Code Subtitle C: Water Pollution, [docket R18-23](#)
- ❖ Amendments to 35 Ill. Adm. Code Subtitle E: Agriculture-Related Water Pollution, [docket R18-25](#)
- ❖ Amendments to 35 Ill. Adm. Code Subtitle F: Public Water Supplies, [docket R18-26](#)
- ❖ Amendments to 35 Ill. Adm. Code Subtitle G: Waste Disposal, [docket R18-27](#)
- ❖ Amendments to 35 Ill. Adm. Code Subtitle I: Atomic Radiation, [docket R18-28](#)
- ❖ Proposed New 35 Ill. Adm. Code 204, Prevention of Significant Deterioration, Amendments to 35 Ill. Adm. Code Parts 101, 105, 203, 211, and 215, [docket R19-1](#)
- ❖ Definition of VOM Update, USEPA Amendments (July 1, 2018 through December 31, 2018), [docket R19-15](#)
- ❖ Amendments to Manifesting Requirements: Special Waste Hauling 35 Ill. Adm. Code 809, [docket R19-18](#)
- ❖ National Ambient Air Quality Standards, USEPA Amendments (July 1, 2018 through December 31, 2018), National Ambient Air Quality Standards, USEPA Amendments (January 1, 2019 through June 30, 2019), and National Ambient Air Quality Standards, USEPA Amendments (July 1, 2019 through December 31, 2019), dockets [R19-14](#), [R20-3](#), and [R20-11](#) (consol.)
- ❖ RCRA Subtitle C Update, USEPA Amendments (January 1, 2019 through June 30, 2019) and RCRA Subtitle D Corrections and RCRA Subtitle C Update, USEPA Amendments (July 1, 2019 through December 31, 2019), dockets [R20-8](#) and [R20-16](#) (consol.)
- ❖ Amendments to Definition of “Class 4 etiologic agent”, 35 Ill. Adm. Code 1420.102, [docket R20-17](#)
- ❖ Proposed New 35 Ill. Adm. Code 249 Ethylene Oxide Ambient Air Monitoring, [docket R20-18](#)
- ❖ Standards for the Disposal of Coal Combustion Residuals in Surface Impoundments: Proposed New 35 Ill. Adm. Code 845, [docket R20-19](#) (and [R20-19PC](#))
- ❖ Rulemaking for Cross Connection Control Device Inspectors of Public Water Supplies 35 Ill. Adm. Code 604.1520, [docket R20-21](#)



# APPELLATE UPDATE



## INTRODUCTION

Under the Environmental Protection Act (415 ILCS 5), final opinions and orders of the Board are appealable directly to the Illinois appellate court rather than to the circuit courts.

During Fiscal Year 2020, no Board final decisions were on appeal.





## INTRODUCTION

Summarized below are two Public Acts—from the 2020 session of the 101st General Assembly—that relate to the Board’s work.

The statutes affected by these Public Acts are the Open Meetings Act and the Environmental Protection Act.

For more information about these and other matters considered during the 2020 session, please consult the General Assembly’s website (<https://www.ilga.gov/>).

## PUBLIC ACTS FROM 2020 SESSION OF 101ST GENERAL ASSEMBLY

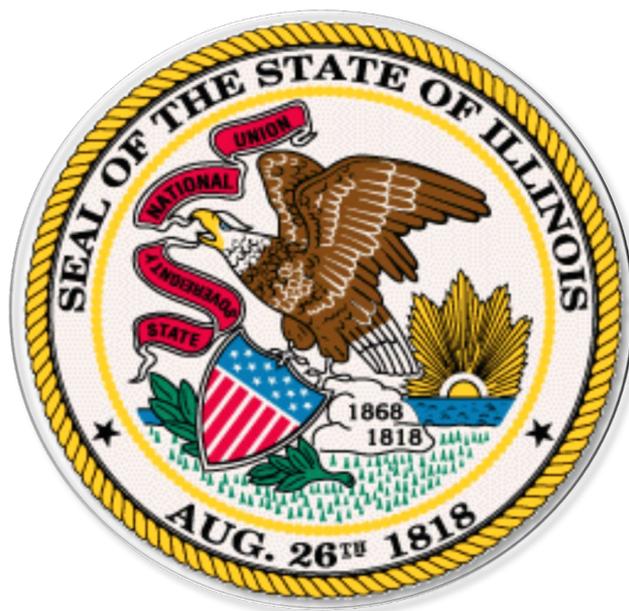
- ❖ [Public Act 101-640](#)  
Effective June 12, 2020

Among its numerous provisions, Public Act 101-640 amended the Open Meetings Act by allowing an open or closed meeting to be conducted by audio or video conference, without the physical presence of a quorum of the public body’s members, but only if specified conditions are met. One of those conditions is that the Governor or the Director of the Illinois Department of Public Health must have issued a disaster declaration related to public health concerns and all or part of the public body’s jurisdiction is covered by the disaster area.

- ❖ [Public Act 101-645](#)  
Effective June 26, 2020

Among its numerous provisions, Public Act 101-645 amended Section 28.5 of the Environmental Protection Act by extending “fast-track” rulemaking authority to December 31, 2021. The authority applies to rulemakings proposed to the Board by the Illinois Environmental Protection Agency that must be adopted by the State under the federal Clean Air Act as amended by the federal Clean Air Act Amendments of 1990.





**A Publication of the Illinois Pollution Control Board**  
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*All IPCB Annual Reports dating back to 1970 are available electronically at <https://pcb.illinois.gov/>*