



IPC

Illinois Pollution Control Board

BOARD MEETING MINUTES

January 7, 2021

11:00 a.m.

Teleconference

Consistent with the Governor's Disaster Proclamation of December 11, 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 will conduct 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 December 17, 2020 regular meeting were approved by a roll call vote of 4-0.

RULEMAKINGS

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ADJUSTED STANDARDS

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ADMINISTRATIVE CITATIONS

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ADJUDICATORY CASES

<u>PCB 06-57</u>	<u>Midwest Generation, LLC (Fisk Generating Station) v. IEPA (Air, CAAPP – Permit Appeal)</u> – The Board granted Midwest Generation’s motion to voluntarily dismiss this Clean Air Act Permit Program (CAAPP) permit appeal concerning its Cook County power plant.	4-0 roll call vote
<u>PCB 06-146</u>	<u>Midwest Generation, LLC (Waukegan Generating Station) v. IEPA (Air, CAAPP – Permit Appeal)</u> – The Board granted Midwest Generation’s motion to voluntarily dismiss this Clean Air Act Permit Program (CAAPP) permit appeal concerning its Lake County power plant.	4-0 roll call vote
<u>PCB 08-18</u>	<u>Midwest Generation, LLC (Fisk Generating Station) v. IEPA (Air, CAAPP – Permit Appeal)</u> – The Board granted Midwest Generation’s motion to voluntarily dismiss this construction permit appeal concerning its Cook County power plant.	4-0 roll call vote
<u>PCB 08-20</u>	<u>Midwest Generation, LLC (Waukegan Generating Station) v. IEPA (Air, CAAPP – Permit Appeal)</u> – The Board granted Midwest Generation’s motion to voluntarily dismiss this construction permit appeal concerning its Lake County power plant.	4-0 roll call vote
<u>PCB 19-4</u>	<u>People of the State of Illinois v. Peoria Barge Terminal, Inc., and Morton Salt, Inc. (Water – Enforcement)</u> – In this enforcement action concerning a Peoria County facility, 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 two stipulations and proposed settlements, one between the People and Peoria Barge, and the other between the People and Morton Salt; (2) ordered Peoria Barge to pay a \$20,000 civil penalty; (3) ordered Morton Salt to pay a \$30,000 civil penalty; and (4) ordered Peoria Barge and Morton Salt to cease and desist from further violations.	4-0 roll call vote

<u>PCB 20-8</u>	<u>People of the State of Illinois v. William Mucci and Debra Mucci, d/b/a B&M Properties; John Kirby; and Polly Kirby (Land, Air – Enforcement)</u> – Upon receiving a stipulation and proposed settlement between the People and the Kirbys, along with their agreed motion for relief from the hearing requirement, in this enforcement action involving a site in LaSalle County, the Board ordered publication of the required newspaper notice.	4-0 roll call vote
<u>PCB 21-20</u>	<u>Beth Emet The Free Synagogue v. IEPA (UST Appeal)</u> – Having previously extended the period to appeal IEPA’s underground storage tank (UST) determination concerning Beth Emet’s Cook County site, the Board dismissed the case because Beth Emet failed to file an appeal.	4-0 roll call vote
<u>PCB 21-27</u>	<u>People of the State of Illinois v. Surface Maintenance Services, Inc. (Land, RCRA – Enforcement)</u> – Upon receiving a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving a site in Winnebago County, the Board ordered publication of the required newspaper notice.	4-0 roll call vote
<u>PCB 21-42</u>	<u>People of the State of Illinois v. City of Colona (Water, NPDES – Enforcement)</u> – 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 Henry County, the Board accepted the complaint and ordered publication of the required newspaper notice.	4-0 roll call vote
<u>PCB 21-43</u>	<u>People of the State of Illinois v. Denis Munie d/b/a Munie Trucking & Gravel (Water, NPDES – Enforcement)</u> – The Board accepted the People’s complaint for hearing concerning Munie Trucking & Gravel’s Madison County facility.	4-0 roll call vote
<u>PCB 21-44</u>	<u>People of the State of Illinois v. Core Champaign Daniel, LLC (Water, Air – Enforcement)</u> – The Board accepted the People’s complaint for hearing concerning Core Champaign Daniel’s Champaign County facility.	4-0 roll call vote
<u>PCB 21-45</u>	<u>People of the State of Illinois v. Youth Fair Chance, Inc., d/b/a Capitol Reuse Center, and Dale Rowden (Land, RCRA – Enforcement)</u> – The Board accepted the People’s complaint for hearing concerning a facility located in Sangamon County.	4-0 roll call vote

<u>PCB 21-46</u>	<u>People of the State of Illinois v. Western Waterproofing Company, Inc., d/b/a Western Specialty Contractors, and Springfield Branch, LLC</u> (Land, RCRA – Enforcement) – The Board accepted the People’s complaint for hearing concerning a facility located in Sangamon County.	4-0 roll call vote
<u>PCB 21-47</u>	<u>People of the State of Illinois v. Frontier North, Inc.</u> (Water, NPDES – Enforcement) – The Board accepted the People’s complaint for hearing concerning Frontier North’s Williamson County facility.	4-0 roll call vote
<u>PCB 21-48</u>	<u>People of the State of Illinois v. City of Mount Carmel</u> (Water, NPDES – Enforcement) – Upon receiving complaint, a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving a site in Wabash County, the Board accepted the complaint and ordered publication of the required newspaper notice.	4-0 roll call vote

OTHER ITEMS

	The Board granted the Chair’s Motion under Section 2(c)(4) of the Open Meetings Act (5 ILCS 120/2(c)(4) (2018)) to schedule a Closed Deliberative Session for January 14, 2021, at 10:00 a.m. regarding <u>James Fiser v. Henry’s Double K, LLC, and James L. Meador</u> , PCB 18-84 (public hearing held March 11, 2020).	4-0 roll call vote
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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 January 21, 2021, by a vote of 4-0.



Don Anthony Brown, Clerk
Illinois Pollution Control Board