



IPC

Illinois Pollution Control Board

BOARD MEETING MINUTES

May 6, 2021

11:00 a.m.

Teleconference

Consistent with the Governor's Disaster Proclamation of April 30, 2021, 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

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

ANNOUNCEMENTS

Chair Currie welcomed members of the public and staff. The Chair also noted the rulemaking, Standards for the Disposal of Coal Combustion Residuals in Surface Impoundments: Proposed New 35 Ill. Adm. Code 845, R20-19(A), including the subjects being addressed in the subdocket, as well as a hearing officer order having just been issued concerning public comment.

PUBLIC REMARKS

None.

APPROVAL OF MINUTES

The minutes of the Board's April 15, 2021 regular open 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 19-93</u>	<u>Prairie Rivers Network v. Dynege Midwest Generation, LLC (Citizens Enforcement – Water)</u> – The Board denied Dynege’s motions to stay and dismiss and accepted the complaint for hearing.	4-0 roll call vote
<u>PCB 21-49</u>	<u>Metropolitan Water Reclamation District of Greater Chicago v. Illinois Environmental Protection Agency (Water, NPDES – Permit Appeal)</u> – Having previously extended the period to appeal IEPA’s determination concerning Metropolitan Water Reclamation District of Greater Chicago’s Cook County site, the Board dismissed the case because the District failed to file an appeal.	4-0 roll call vote
<u>PCB 21-90</u>	<u>James McCune (M3 Farm) v. Illinois Environmental Protection Agency (Water – Tax Certification)</u> – The Board found and certified that James McCune’s specified facilities located in Bureau 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
<u>PCB 21-91</u>	<u>James McCune (Anderson 2) v. Illinois Environmental Protection Agency (Water – Tax Certification)</u> – The Board found and certified that James McCune’s specified facilities located in Bureau 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
<u>PCB 21-92</u>	<u>James McCune (Mom’s Trust Site) v. Illinois Environmental Protection Agency (Water – Tax Certification)</u> – The Board found and certified that James McCune’s specified facilities located in Bureau 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

<u>PCB 21-93</u>	<u>James McCune (M4 West Site) v. Illinois Environmental Protection Agency (Water – Tax Certification)</u> – The Board found and certified that James McCune’s specified facilities located in Bureau 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
<u>PCB 21-94</u>	<u>James McCune (M7 Pond Farm) v. Illinois Environmental Protection Agency (Water – Tax Certification)</u> – The Board found and certified that James McCune’s specified facilities located in Bureau 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
<u>PCB 21-95</u>	<u>James McCune (Boar Power) v. Illinois Environmental Protection Agency (Water – Tax Certification)</u> – The Board found and certified that James McCune’s specified facilities located in Bureau 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
<u>PCB 21-96</u>	<u>James McCune (M4 East Site) v. Illinois Environmental Protection Agency (Water – Tax Certification)</u> – The Board found and certified that James McCune’s specified facilities located in Bureau 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
<u>PCB 21-97</u>	<u>James McCune (M5 Truck Wash) v. Illinois Environmental Protection Agency (Water – Tax Certification)</u> – The Board found and certified that James McCune’s specified facilities located in Bureau 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
<u>PCB 21-98</u>	<u>TIGER Drylac USA, Inc. v. Illinois Environmental Protection Agency (Air – Permit Appeal)</u> – The Board granted a joint request for a 90-day extension to file a permit appeal on behalf of this Kane County facility.	4-0 roll call vote
<u>PCB 21-99</u>	<u>West Central FS, Inc. v. Illinois Environmental Protection Agency (Water – Tax Certification)</u> – The Board found and certified that West Central’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 roll call vote

<u>PCB 21-100</u>	<u>Graham Enterprise, Inc. v. Illinois Environmental Protection Agency</u> (UST Appeal) – The Board granted a joint request for a 90-day extension to file an underground storage tank appeal (UST) on behalf of this Lake County facility.	4-0 roll call vote
<u>PCB 21-101</u>	<u>Mills Farms v. Illinois Environmental Protection Agency</u> (Water – Tax Certification) – The Board found and certified that Mills Farms’ specified facilities located in Mercer 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
<u>PCB 21-102</u>	<u>Colwell Pork Farms, LLC – Franklin v. Illinois Environmental Protection Agency</u> (Water – Tax Certification) – The Board found and certified that Colwell Pork Farms’ specified facilities located in Morgan 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
<u>PCB 21-103</u>	<u>Koppers Inc. v. Illinois Environmental Protection Agency</u> (Water – Tax Certification) – The Board found and certified that Koppers’ specified facilities located in Cook 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
<u>PCB 21-104</u>	<u>Plymouth Pork v. Illinois Environmental Protection Agency</u> (Water – Tax Certification) – The Board found and certified that Plymouth Pork’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 roll call vote
<u>PCB 21-105</u>	<u>Special K Hog Farm – Leroy v. Illinois Environmental Protection Agency</u> (Water – Tax Certification) – The Board found and certified that Special K Hog Farm’s specified facilities located in McClean 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
<u>PCB 21-106</u>	<u>People of the State of Illinois v. Kness Trucking, Inc.</u> (Water, NPDES – Enforcement) – Held	

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 May 20, 2021, by a vote of 4-0.



Don Anthony Brown, Clerk
Illinois Pollution Control Board