



IPCB

Illinois Pollution Control Board

REGULAR BOARD MEETING MINUTES

October 5, 2017

11:00 a.m.

Videoconference

Chicago

100 W. Randolph Street
Chicago, IL
Room 11-512

Springfield

1021 N. Grand Avenue East
Springfield, IL
**Conference Room 1244 N, First
Floor**

ANNOUNCEMENTS

Chairman Papadimitriu welcomed members of the public and staff.

ROLL CALL

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

PUBLIC REMARKS

None.

APPROVAL OF MINUTES

The minutes of the September 7, 2017 Regular Board Meeting and Brown Bag Lunch were approved by a vote of 5-0.

RULEMAKINGS

R18-19	In the Matter of: <u>Noise Rule Update: Amendments to 35 Ill. Adm. Code Parts 900, 901, 902, and 910 (Noise)</u> – The Board adopted a proposal for public comment in this rulemaking to amend the Board’s noise pollution control regulations.	5-0
R18-20	In the Matter of: <u>Amendments to 35 Ill. Adm. Code 225.233, Multi-Pollutant Standards (MPS) (Air)</u> –Chairman Papadimitriou noted that the Board received on October 2 this Agency rulemaking proposal to amend the Board’s air pollution control regulations, noted that the time to respond to the Agency’s motion to expedite has not yet run, and explained that the Board will act on these filings at a future Board meeting. The Board took no action on this matter.	

ADJUSTED STANDARDS

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ADMINISTRATIVE CITATIONS

AC 18-1	<u>IEPA v. Murner Swanson</u> – The Board found that respondent had violated Section 1.1(b)(3) of the Public Water Supply Operations Act (415 ILCS 45/1.1(b)(3) (2016)). Because there were five violations of Section 1.1(b)(3), the Board ordered respondent to pay a civil penalty of \$2,500.	5-0
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ADJUDICATORY CASES

PCB 09-94	<u>Midwest Electric Power, Inc. v. IEPA (Air – Permit Appeal)</u> – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal.	5-0
PCB 14-111	<u>Sanitary District of Decatur v. IEPA (Time-Limited WQS)</u> – Construing petitioner’s motion for extension of time as a motion to stay this proceeding pending resolution of related matter R14-24, the Board granted the motion and extended the deadline of December 31, 2017 for petitioner to file an amended petition for a time-limited water quality standard.	5-0
PCB 17-45	<u>People of the State of Illinois v. Magna Tax Service Co., Inc. (Land – Enforcement)</u> – Member Zalewski held this matter and explained that a draft order would be presented for Board approval at the October 19, 2017 regular meeting. The Board took no action on this matter.	

PCB 17-56	<u>People of the State of Illinois v. Greenville Livestock, Inc., an Illinois Corporation</u> (Water – Enforcement) – Upon receipt of a proposed stipulation and settlement agreement, and an agreed motion for relief from the hearing requirement in this water enforcement action involving a facility located in Clinton County, the Board ordered publication of the required newspaper notice.	3-0 Carter Santos abstained
PCB 17-80	<u>B-Petro Corporation v. IEPA</u> (UST Appeal) – The Board accepted for hearing this underground storage tank appeal involving a site in Macon County.	5-0
PCB 17-82	<u>The Premcor Refining Group, Inc. v. IEPA</u> (UST Appeal) – Having previously granted a request for a 90-day extension, the Board dismissed this matter because no underground storage tank appeal was filed on behalf of this DuPage County facility.	5-0
PCB 18-1	<u>People of the State of Illinois v. Kenny Construction Company</u> (Water – Enforcement, NPDES) – In this water 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) (2016)), accepted a stipulation and settlement agreement, and ordered respondent to pay a \$17,500 civil penalty and to cease and desist from further violations.	3-0 Carter Santos abstained
PCB 18-8	<u>KLG, LLC Inc. v. IEPA</u> (Water – Tax Certification) – The Board found and certified that specified facilities of KLG, LLC, Inc. located in Hancock County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2016)).	5-0
PCB 18-9	<u>Yongxin Enterprises, Inc. v. IEPA</u> (UST Appeal) – The Board accepted for hearing this underground storage tank appeal involving a site in Franklin County.	5-0
PCB 18-10	<u>Brent Timmerman-Breese v. IEPA</u> (Water – Tax Certification) – The Board found and certified that specified facilities of Brent Timmerman located in Clinton County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2016)).	5-0
PCB 18-12	<u>Midwest Petroleum Company v. IEPA</u> (UST Appeal) – The Board accepted for hearing this underground storage tank appeal involving a site in Madison County.	5-0

OTHER ITEMS

	The Board granted the Chairman's Motion for Approval of Proposed Schedule of Regular Board Meetings for Calendar Year 2018 (attached as Page 4). These Open Meetings will be held at the times and locations noted in the attachment.	5-0
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NEW BUSINESS

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ADJOURNMENT

Moved and seconded, by a vote of 5-0, Chairman Papadimitriou 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 19, 2017, by a vote of 5-0.



Don Anthony Brown, Clerk
Illinois Pollution Control Board