# **COMPLIANCE EXAMINATION For the Two Years Ended June 30, 2018**

Performed as Special Assistant Auditors for the Auditor General, State of Illinois

### STATE OF ILLINOIS POLLUTION CONTROL BOARD COMPLIANCE EXAMINATION

For the Two Years Ended June 30, 2018

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# STATE OF ILLINOIS POLLUTION CONTROL BOARD COMPLIANCE EXAMINATION

For the Two Years Ended June 30, 2018

### **AGENCY OFFICIALS**

Chair (5/27/17 - present) Katie Papadimitriu

Chair (through 5/26/17) Gerald M. Keenan

Executive Director (10/1/16 - present) Vacant

Executive Director (through 9/30/16) Tom Johnson

Chief Fiscal Officer Kathryn Griffin

General Counsel (4/3/17 - present) Marie Tipsord

General Counsel (through 4/2/17) Vacant

Board offices are located at:

1021 North Grand Avenue East Springfield, Illinois 62794

100 West Randolph Street, Suite 11-500 Chicago, Illinois 60601

2125 South First Street Champaign, Illinois 61820



# IPCB Illinois Pollution Control Board

GOVERNOR

JB Pritzker

CHAIRMAN

Katie Papadimitriu

**MEMBERS** 

Brenda Carter

Barbara Flynn Currie

Anastasia Palivos

Cynthia Santos

**CHICAGO OFFICE** 

James R. Thompson Center 100 West Randolph Suite 11-500 Chicago, IL 60601-3233

> Main: 312-814-3620 FAX: 312-814-3669 TTY: 866-323-1677

**SPRINGFIELD OFFICE** 

1021 N. Grand Ave. East P.O. Box 19274 Springfield, IL 62794-9274

Main: 217-524-8500 FAX: 217-524-8508

WEB SITE
PCB.illinois.gov

June 10, 2019

E.C. Ortiz & Co., LLP 333 South Des Plaines Street, Suite 2-N Chicago, Illinois 60661

Ladies and Gentlemen:

We are responsible for the identification of, and compliance with, all aspects of laws, regulations, contracts, or grant agreements that could have a material effect on the operations of the State of Illinois, Pollution Control Board. We are responsible for and we have established and maintained an effective system of internal controls over compliance requirements. We have performed an evaluation of the State of Illinois, Pollution Control Board's compliance with the following assertions during the two-year period ended June 30, 2018. Based on this evaluation, we assert that during the years ended June 30, 2018 and June 30, 2017, the State of Illinois, Pollution Control Board has materially complied with the assertions below.

- A. The State of Illinois, Pollution Control Board has obligated, expended, received, and used public funds of the State in accordance with the purpose for which such funds have been appropriated or otherwise authorized by law.
- B. The State of Illinois, Pollution Control Board has obligated, expended, received, and used public funds of the State in accordance with any limitations, restrictions, conditions, or mandatory directions imposed by law upon such obligation, expenditure, receipt, or use.
- C. The State of Illinois, Pollution Control Board has complied, in all material respects, with applicable laws and regulations, including the State uniform accounting system, in its financial and fiscal operations.
- D. State revenues and receipts collected by the State of Illinois, Pollution Control Board are in accordance with applicable laws and regulations and the accounting and recordkeeping of such revenues and receipts is fair, accurate, and in accordance with law.

Yours truly,

State of Illinois, Pollution Control Board

**SIGNED ORIGINAL ON FILE** 

SIGNED ORIGINAL ON FILE

Katie Papadimitriu, Chairman

Kathryn Griffin, Chief Fiscal Officer

# STATE OF ILLINOIS POLLUTION CONTROL BOARD COMPLIANCE EXAMINATION For the Two Years Ended June 30, 2018

### **COMPLIANCE REPORT**

### **SUMMARY**

The compliance testing performed during this examination was conducted in accordance with *Government Auditing Standards* and the Illinois State Auditing Act.

### **ACCOUNTANT'S REPORT**

The Independent Accountant's Report on State Compliance, on Internal Control Over Compliance and on Supplementary Information for State Compliance Purposes does not contain scope limitations, disclaimers, or other significant non-standard language.

### **SUMMARY OF FINDINGS**

	Current	Prior
Number of	Report	Report
Findings	0	0
Repeated findings	0	0
Prior recommendations implemented		
or not repeated	0	0

### **EXIT CONFERENCE**

The Pollution Control Board waived an exit conference in a correspondence from Kathryn Griffin, Chief Fiscal Officer, on May 29, 2019.



### INDEPENDENT ACCOUNTANT'S REPORT ON STATE COMPLIANCE, ON INTERNAL CONTROL OVER COMPLIANCE, AND ON SUPPLEMENTARY INFORMATION FOR STATE COMPLIANCE PURPOSES

Honorable Frank J. Mautino Auditor General State of Illinois

### **Compliance**

As Special Assistant Auditors for the Auditor General, we have examined the State of Illinois, Pollution Control Board's compliance with the requirements listed below, as more fully described in the Audit Guide for Financial Audits and Compliance Attestation Engagements of Illinois State Agencies (Audit Guide) as adopted by the Auditor General, during the two years ended June 30, 2018. The management of the State of Illinois, Pollution Control Board is responsible for compliance with these requirements. Our responsibility is to express an opinion on the State of Illinois, Pollution Control Board's compliance based on our examination.

- A. The State of Illinois, Pollution Control Board has obligated, expended, received, and used public funds of the State in accordance with the purpose for which such funds have been appropriated or otherwise authorized by law.
- B. The State of Illinois, Pollution Control Board has obligated, expended, received, and used public funds of the State in accordance with any limitations, restrictions, conditions or mandatory directions imposed by law upon such obligation, expenditure, receipt or use.
- C. The State of Illinois, Pollution Control Board has complied, in all material respects, with applicable laws and regulations, including the State uniform accounting system, in its financial and fiscal operations.
- D. State revenues and receipts collected by the State of Illinois, Pollution Control Board are in accordance with applicable laws and regulations and the accounting and recordkeeping of such revenues and receipts is fair, accurate and in accordance with law.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants; the standards applicable to attestation engagements contained in *Government Auditing Standards* issued by the Comptroller General of the United States; the Illinois State Auditing Act (Act); and the Audit Guide as adopted by the Auditor General pursuant to the Act (the Audit Guide). Those standards, the Act, and the Audit Guide require that we plan and perform the examination to obtain reasonable assurance about whether the State of Illinois, Pollution Control Board complied, in all material respects, with the specified requirements listed above. An examination involves performing procedures to obtain evidence about whether the State of Illinois, Pollution Control Board complied with the specified requirements listed above. The nature, timing and extent of the procedures selected depend on our

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judgement, including an assessment of the risks of material noncompliance, whether due to fraud or error.

We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion. Our examination does not provide a legal determination on the State of Illinois, Pollution Control Board's compliance with specified requirements.

In our opinion, the State of Illinois, Pollution Control Board complied, in all material respects, with the compliance requirements listed in the first paragraph of this report during the two years ended June 30, 2018.

The purpose of this report on compliance is solely to describe the scope of our testing and the results of that testing in accordance with the requirements of the Audit Guide issued by the Illinois Office of the Auditor General. Accordingly, this report is not suitable for any other purpose.

### **Internal Control**

Management of the State of Illinois, Pollution Control Board is responsible for establishing and maintaining effective internal control over compliance with the requirements listed in the first paragraph of this report. In planning and performing our examination, we considered the State of Illinois, Pollution Control Board's internal control over compliance with the requirements listed in the first paragraph of this report to determine the examination procedures that are appropriate in the circumstances for the purpose of expressing our opinion on compliance and to test and report on internal control over compliance in accordance with the Audit Guide, issued by the Illinois Office of the Auditor General, but not for the purpose of expressing an opinion on the effectiveness of the State of Illinois, Pollution Control Board's internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the State of Illinois, Pollution Control Board's internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with the requirements listed in the first paragraph of this report on a timely basis. A material weakness in internal control over compliance is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a requirement listed in the first paragraph of this report will not be prevented, or detected and corrected, on a timely basis. A significant deficiency in internal control over compliance is a deficiency, or a combination of deficiencies, in internal control over compliance that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses.

However, material weaknesses may exist that have not been identified.

There were no immaterial findings that have been excluded from this report.

### **Supplementary Information for State Compliance Purposes**

Our examination was conducted for the purpose of forming an opinion on compliance with the requirements listed in the first paragraph of this report. The accompanying supplementary information for the years ended June 30, 2018 and June 30, 2017 in Schedules 1 through 5 and the Analysis of Operations Section is presented for purposes of additional analysis. We have applied certain limited procedures as prescribed by the Audit Guide as adopted by the Auditor General to the June 30, 2018 and June 30, 2017 accompanying supplementary information in Schedules 1 through 5. However, we do not express an opinion on the accompanying supplementary information.

We have not applied procedures to the June 30, 2016 accompanying supplementary information in Schedules 3 through 5 and in the Analysis of Operations Section, and accordingly, we do not express an opinion or provide any assurance on it.

### SIGNED ORIGINAL ON FILE

Chicago, Illinois June 10, 2019

### **COMPLIANCE EXAMINATION**

For the Two Years Ended June 30, 2018 (NOT EXAMINED)

### SUPPLEMENTARY INFORMATION FOR STATE COMPLIANCE PURPOSES

### **SUMMARY**

Supplementary Information for State Compliance Purposes presented in this section of the report includes the following:

• Fiscal Schedules and Analysis:

Schedule of Appropriations, Expenditures, and Lapsed Balances - Fiscal Year 2018 Schedule of Appropriations, Expenditures, and Lapsed Balances - Fiscal Year 2017 Comparative Schedule of Net Appropriations, Expenditures, and Lapsed Balances Schedule of Changes in State Property

Comparative Schedule of Cash Receipts and Reconciliation of Cash Receipts to

Comparative Schedule of Cash Receipts and Reconciliation of Cash Receipts to Deposits Remitted to the State Comptroller

• Analysis of Operations (Not Examined):

Agency Functions and Planning Program (Not Examined)

Analysis of Significant Variations in Expenditures (Not Examined)

Analysis of Significant Variations in Receipts (Not Examined)

Analysis of Significant Lapse Period Spending (Not Examined)

Budget Impasse Disclosures (Not Examined)

Alternative Financing in Lieu of Appropriations and Programs to Address Untimely Payments to Vendors (Not Examined)

Interest Costs on Fiscal Year 2018 Invoices (Not Examined)

Average Number of Employees (Not Examined)

Annual Cost Statistics (Not Examined)

Interagency Agreement (Not Examined)

Service Efforts and Accomplishments (Not Examined)

The accountant's report that covers the Supplementary Information for State Compliance Purposes presented in the Compliance Report Section states the accountants have applied certain limited procedures as prescribed by the Audit Guide as adopted by the Auditor General to the June 30, 2018 and June 30, 2017 accompanying supplementary information in Schedules 1 through 5. However, the accountants do not express an opinion on the supplementary information. The accountant's report also states that they have not applied procedures to the Analysis of Operations Section, and accordingly, they do not express an opinion or provide any assurance on it.

STATE OF ILLINOIS

# POLLUTION CONTROL BOARD

# SCHEDULE OF APPROPRIATIONS, EXPENDITURES, AND LAPSED BALANCES

Appropriations for Fiscal Year 2018

For the Sixteen Months Ended October 31, 2018

	Apl	Appropriations	Exp	Expenditures	Lapse Period				
Public Act 100-0021		(Net After Transfers)	T 0	Through 06/30/18	Expenditures 07/01-10/31/18	Ħ	Total Expenditures	,	Balances Lapsed
APPROPRIATED FUNDS									
Underground Storage Tank Fund - 0072									
Case Processing	↔	1,551,000	↔	1,137,504	<b>√</b>	↔	1,137,504	↔	413,496
Subtotal - Fund 0072	↔	1,551,000	↔	1,137,504	€	8	1,137,504	<b>↔</b>	413,496
Clean Air Act Permit Fund - 0091									
Personal Services	<del>\$</del>	281,500	<b>↔</b>	279,336	•	<del>&lt;</del>	279,336	<del>&lt;</del>	2,164
State Contributions to State		001.031		27.00			0.70		2.02
		172,100		132,013	•		132,013		17,40/
State Contributions to Social Security		21,600		20,052	ı		20,052		1,548
Group Insurance		96,000		66,356	ı		66,356		29,644
Contractual Services		10,000		9,453	1		9,453		547
Subtotal - Fund 0091	€	561,200	↔	507,810	€	<b>↔</b>	507,810	↔	53,390
Pollution Control Board - 0277	4	48 000	€.	1	₩	4	1	<del>4</del>	48 000
Refunds	<del>)</del>	2,000	<del>)</del>	1	·	<del>)</del>	'	<del>)</del>	2,000
Subtotal - Fund 0277	↔	50,000	↔	1		8	'	<del>⊗</del>	50,000

STATE OF ILLINOIS

# POLLUTION CONTROL BOARD

# SCHEDULE OF APPROPRIATIONS, EXPENDITURES, AND LAPSED BALANCES

Appropriations for Fiscal Year 2018

For the Sixteen Months Ended October 31, 2018

	App (1)	Appropriations (Net After	Expe	Expenditures Through	Lapse Period Expenditures		Total	П	Balances
Public Act 100-0021	T	Transfers)	90	06/30/18	07/01-10/31/18	Ê	Expenditures		Lapsed
Used Tire Management Fund - 0294 Used for purposes provided in Section 55.6 of the Environmental Protection Act	↔	379,720	↔	372,396	•	↔	372,396	↔	7,324
Subtotal - Fund 0294	↔	379,720	\$	372,396	\$	↔	372,396	<b>↔</b>	7,324
Environmental Protection Permit and Inspection Fund - 0944 Personal Services	<del>∽</del>	548.800	<del>∽</del>	486.852	ı <del>∽</del>	↔	486.852	↔	61.948
State Contributions to State Employees' Retirement System		296,500		231,763	,		231,763		64,737
State Contributions to Social Security		42,000		35,611	1		35,611		6,389
Group Insurance		144,000		93,094			93,094		50,906
Subtotal - Fund 0944	↔	1,031,300	↔	847,320	·	↔	847,320	↔	183,980
TOTAL - ALL APPROPRIATED FUNDS	↔	3,573,220	\$	2,865,030	· S	S	2,865,030	↔	708,190

# STATE OF ILLINOIS

# POLLUTION CONTROL BOARD

# SCHEDULE OF APPROPRIATIONS, EXPENDITURES, AND LAPSED BALANCES

Appropriations for Fiscal Year 2018

For the Sixteen Months Ended October 31, 2018

	Appropriations	Expenditures		Lapse Period			
	(Net After	Through		Expenditures	Total	_	Balances
Public Act 100-0021	Transfers)	06/30/18	)	07/01-10/31/18	Expenditures	tures	Lapsed
NON-APPROPRIATED FUND							
Pollution Control Board State Trust Fund - 0207		ę.	6	0000	6	100	
Case Management		301,	301,119	138,8/2	A	499,991	
Subtotal - Fund 0207		\$ 361,119	\$ \$	138,872	<del>\$</del>	499,991	
TOTAL - NON-APPROPRIATED FUND		\$ 361,	361,119 \$	138,872	<del>\$</del>	499,991	

Note 1: Appropriations, expenditures, and lapsed balances were obtained from the State Comptroller's records as of October 31, 2018, and have been reconciled to Board records.

3,365,021

s

138,872

3,226,149 \$

**GRAND TOTAL - ALL FUNDS** 

Note 2: Expenditure amounts are vouchers approved for payment by the Board and submitted to the State Comptroller for payment to the vendor.

Note 3: All appropriated funds were appropriated to the State of Illinois, Environmental Protection Agency (Agency), and therefore, the appropriations and expenditures related to these funds have also been reported in the Agency's appropriation schedules.

STATE OF ILLINOIS

# POLLUTION CONTROL BOARD

# SCHEDULE OF APPROPRIATIONS, EXPENDITURES, AND LAPSED BALANCES Appropriations For Fiscal Year 2017

For the Fifteen Months Ended September 30, 2017

	Ap )	Appropriations (Net After	闰	Expenditures Through	Lapse Period Expenditures		Total		Balances
Public Act 99-0524		Transfers)		06/30/17	07/01-9/30/17		Expenditures		Lapsed
APPROPRIATED FUNDS									
Underground Storage Tank Fund - 0072									
Case Processing	↔	1,491,100 \$	S	1,424,300	↔	-   ->-	1,424,300	<b>⊹</b>   ⊙l	66,800
Subtotal - Fund 0072	<del>≶</del>	1,491,100	8	1,424,300	<del>\$</del>	- <b>S</b>	1,424,300	• •	66,800
Clean Air Act Permit Fund - 0091									
Personal Services	<del>\$</del>	281,500	S	277,788	<del>∽</del>	<u>~</u>	277,788	<del>∞</del>	3,712
State Contributions to State Employees' Retirement System		130,900		122,734			122,734	4	8.166
State Contributions to Social Security		21,600		20,101		1	20,101	_	1,499
Group Insurance		96,000		68,455		ı	68,455	2	27,545
Contractual Services		10,000		1		- 1		- 1	10,000
Subtotal - Fund 0091	↔	540,000	↔	489,078	€	·	489,078	∞∥	50,922
Pollution Control Board - 0277									
Lump Sums Refunds	↔	48,000	<del>⊗</del>		€	<del>s</del>		· ·	48,000
Subtotal - Fund 0277	\$	50,000	S	1	<del>\$</del>	-		ı    <del>∽</del>	50,000
Subtotal - Fund 0277	9	20,000			9	י ∥ פ			·

STATE OF ILLINOIS

# POLLUTION CONTROL BOARD SCHEDULE OF APPROPRIATIONS, EXPENDITURES, AND LAPSED BALANCES Appropriations For Fiscal Year 2017

For the Fifteen Months Ended September 30, 2017

	Apı	Appropriations	Ey	Expenditures	Lapse Period				
Public Act 99-0524		(Net After Transfers)		Through 06/30/17	Expenditures 07/01-9/30/17	Щ	Total Expenditures		Balances Lapsed
Used Tire Management Fund - 0294 Used for purposes provided in Section 55.6 of the Environmental Protection Act	<del>⇔</del>	364,700	€	352,436	€	€	352,436	↔	12,264
Subtotal - Fund 0294	€\$	364,700	↔	352,436	€	↔	352,436	<b>∽</b>	12,264
Environmental Protection Permit and Inspection Fund - 0944 Personal Services	↔	548,800	↔	547,179	€	↔	547,179	↔	1,621
State Contributions to State Employees' Retirement System		255,200		242,457	ı		242,457		12,743
State Contributions to Social Security		42,000		39,713	ı		39,713		2,287
Group Insurance		144,000		129,205			129,205		14,795
Subtotal - Fund 0944	8	990,000	<del>⊗</del>	958,554	€	↔	958,554	<del>&gt;</del>	31,446
TOTAL - ALL APPROPRIATED FUNDS	↔	3,435,800	S	3,224,368	<del>S</del>	↔	3,224,368	<b>↔</b>	211,432

# STATE OF ILLINOIS

# POLLUTION CONTROL BOARD

# SCHEDULE OF APPROPRIATIONS, EXPENDITURES, AND LAPSED BALANCES

Appropriations For Fiscal Year 2017

For the Fifteen Months Ended September 30, 2017

D. E.E. A . C. OO 0524	Appropriations (Net After	Expe Th	Expenditures Through	Expenditures	Period ditures		Total	Balances
Fublic Act 99-0324	i ransiers)	90	06/30/1/	6-10//0	// 30/1/	Exp	Expenditures	Lapsed
NON - APPROPRIATED FUND								
Pollution Control Board State Trust Fund - 0207								
Case Management		<b>↔</b>	365,992	↔	131,759	€	497,751	
Subtotal - Fund 0207	·	S	365,992	€	131,759	<b>↔</b>	497,751	
TOTAL - NON-APPROPRIATED FUND	·	<del>\$</del>	365,992	€	131,759	S	497,751	
GRAND TOTAL - ALL FUNDS	Ü	<del>↔</del>	3,590,360	€	131,759	↔	3,722,119	

Note 1: Appropriations, expenditures, and lapsed balances were obtained from the State Comptroller's records as of September 30, 2017, and have been reconciled to the Board's records.

Note 2: Expenditures amounts are vouchers approved for payment by the Board and submitted to the State Comptroller for payment to the vendor.

Note 3: All appropriated funds were appropriated to the State of Illinois, Environmental Protection Agency (Agency), and therefore, the appropriations and expenditures related to these funds have also been reported in the Agency's appropriation schedules.

Note 4: Public Act 99-524 authorizes the Board to pay Fiscal Year 2016 costs using its Fiscal Year 2017 appropriations for non-payroll expenditures. The Analysis of Operations section of this report at page 27 includes information from Board management about the number of invoices and the total dollar amount of invoices held by the Board to be submitted against its Fiscal Year 2017 appropriations.

# COMPARATIVE SCHEDULE OF NET APPROPRIATIONS, EXPENDITURES AND LAPSED BALANCES

			F	iscal Year		
		2018		2017		2016
						99-0524 and
	D.	100 0021	D	A 00 0524		urt-Ordered
	P.A	A. 100-0021	Ρ.	A. 99-0524	EX	penditures
APPROPRIATED FUNDS						
Underground Storage Tank Fund - 0072						
Appropriations (Net of Transfers)	\$	1,551,000	\$	1,491,100	\$	773,000
Expenditures						
Case Processing	\$	1,137,504	\$	1,424,300	\$	773,000
Total Expenditures	\$	1,137,504	\$	1,424,300	\$	773,000
Lapsed Balances	\$	413,496	\$	66,800	\$	
Clean Air Act Permit Fund - 0091						
Appropriations (Net of Transfers)	\$	561,200	\$	540,000	\$	1,235,900
Expenditures						
Personal Services	\$	279,336	\$	277,788	\$	644,418
State Contributions to State						
Employees' Retirement System		132,613		122,734		294,183
State Contributions to Social Security		20,052		20,101		46,953
Group Insurance		66,356		68,455		146,668
Contractual Services		9,453				10,000
Total Expenditures	\$	507,810	\$	489,078	\$	1,142,222
Lapsed Balances	\$	53,390	\$	50,922	\$	93,678
Pollution Control Board Fund - 0277						
Appropriations (Net of Transfers)	\$	50,000	\$	50,000	\$	50,000
Expenditures						
Lump Sums	-		-		-	36,456
Total Expenditures	\$	<u> </u>	\$	<u>-</u>	\$	36,456
Lapsed Balances	\$	50,000	\$	50,000	\$	13,544

# COMPARATIVE SCHEDULE OF NET APPROPRIATIONS, EXPENDITURES AND LAPSED BALANCES

			F	iscal Year		
		2018		2017		2016
	<u> </u>				P.A.	99-0524 and
					Co	urt-Ordered
	P.A	A. 100-0021	P.	A. 99-0524	Ex	penditures
Used Tire Management Services Fund - 0294						
Appropriations (Net of Transfers)	\$	379,720	\$	364,700	\$	260,000
Expenditures						
Used for purposes provided in Section 55.6						
of the Environmental Protection Act	\$	372,396	\$	352,436	\$	259,743
Total Expenditures	\$	372,396	\$	352,436	\$	259,743
Lapsed Balances	\$	7,324	\$	12,264	\$	257
Environmental Protection Permit and Inspection Fund - 0944						
Appropriations (Net of Transfers)	\$	1,031,300	\$	990,000	\$	1,079,000
Expenditures						
Personal Services	\$	486,852	\$	547,179	\$	594,954
State Contributions to State						
Employees' Retirement System		231,763		242,457		272,293
State Contributions to Social Security		35,611		39,713		43,123
Group Insurance		93,094		129,205		160,313
Total Expenditures	\$	847,320	\$	958,554	\$	1,070,683
Lapsed Balances	\$	183,980	\$	31,446	\$	8,317
TOTAL - ALL APPROPRIATED FUNDS						
Total Appropriations (Net After Transfers)	\$	3,573,220	\$	3,435,800	\$	3,397,900
Total Expenditures	\$	2,865,030	\$	3,224,368	\$	3,282,104
Lapsed Balances	\$	708,190	\$	211,432	\$	115,796

# COMPARATIVE SCHEDULE OF NET APPROPRIATIONS, EXPENDITURES AND LAPSED BALANCES

		2018	F	iscal Year 2017	2016 99-0524 and
	P.A	. 100-0021	Р.	A. 99-0524	urt-Ordered spenditures
NON-APPROPRIATED FUND					
Pollution Control State Trust Fund - 0207					
Expenditures					
Case Management	\$	499,991	\$	497,751	\$ 410,146
Total Expenditures	\$	499,991	\$	497,751	\$ 410,146
TOTAL - NON-APPROPRIATED FUND	\$	499,991	\$	497,751	\$ 410,146
GRAND TOTAL - ALL FUNDS					
Total Expenditures	\$	3,365,021	\$	3,722,119	\$ 3,692,250
State Officers' Salaries General Revenue Fund - 001 (State Comptroller) Appropriations					
Chair	\$	121,100	\$	121,100	\$ _
Board Members		468,200		468,200	 _
Total Appropriations	\$	589,300	\$	589,300	\$ 
Expenditures					
Chair	\$	121,040	\$	121,095	\$ 120,868
Board Members		468,038		445,456	 468,205
Total Expenditures	\$	589,078	\$	566,551	\$ 589,073
<b>Total Lapsed Balances</b>	\$	222	\$	22,749	\$ 

## COMPARATIVE SCHEDULE OF NET APPROPRIATIONS, EXPENDITURES AND LAPSED BALANCES

- Note 1: Appropriations, expenditures, and lapsed balances were obtained from the State Comptroller's records as of October 31, 2018, and September 30, 2017 have been reconciled to Board records.
- Note 2: Expenditure amounts are vouchers approved for payment by the Board and submitted to the State Comptroller for payment to the vendor.
- Note 3: All appropriated funds were appropriated to the State of Illinois, Environmental Protection Agency (Agency), and therefore, the appropriations and expenditures related to these funds have also been reported in the Agency's appropriation schedules.
- Note 4: Public Act 99-524 authorizes the Board to pay Fiscal Year 2016 costs using its Fiscal Year 2017 appropriations for non-payroll expenditures. The Analysis of Operations section of this report at page 27 includes information from Board management about the number of invoices and the total dollar amount of invoices held by the Board to be submitted against its Fiscal Year 2017 appropriations.

### SCHEDULE OF CHANGES IN STATE PROPERTY

For the Two Years Ended June 30, 2018

	-	Equipment
Balance at July 1, 2016	\$	316,100
Additions		599
Deletions		-
Net Transfers		(316,699)
Balance at June 30, 2017	\$	_

Note 1: This schedule has been derived from the Illinois Pollution Control Board's (Board) records and reconciled to the Environmental Protection Agency's (Agency) Reports of State Property submitted to the Office of the State Comptroller.

Note 2: On October 1, 2016, the Board's fixed assets were transferred to the Agency's records, therefore, fixed assets reporting is done by the Agency.

# COMPARATIVE SCHEDULE OF CASH RECEIPTS AND RECONCILIATION OF CASH RECEIPTS TO

### DEPOSITS REMITTED TO THE STATE COMPTROLLER

	2018		2017		2016	
Clean Air Act Permit Fund - 0091						
Jury Duty	\$	-	\$	25	\$	-
Receipts per Board Records		-		25		-
Plus - In transit at beginning of year		-		-		-
Less - In transit at end of year		_		-		
Deposits, Recorded by the State Comptroller	\$		\$	25	\$	
Pollution Control Board State Trust Fund - 0207						
Transfer from the Environmental Protection Trust Fund	\$	750,000	\$	1,000,000	\$	
Receipts per Board Records	' <u>-</u>	750,000		1,000,000		-
Plus - In transit at beginning of year		-		-		-
Less - In transit at end of year		-		-		-
Deposits, Recorded by the State Comptroller	\$	750,000	\$	1,000,000	\$	
Pollution Control Board Fund - 0277						
Opinion Sales	\$	-	\$	147	\$	476
Filing Fees		1,650		1,725		2,700
Receipts per Board Records		1,650		1,872		3,176
Plus - In transit at beginning of year		75		-		75
Less - In transit at end of year		-		75		-
Deposits, Recorded by the State Comptroller	\$	1,725	\$	1,797	\$	3,251
<b>Environmental Protection Permit and Inspection Fund - 0944</b>						
Jury Duty	\$	-	\$	-	\$	375
Telephone Calls		-		-		2
Receipts per Board Records		-		-		377
Plus - In transit at beginning of year		-		-		-
Less - In transit at end of year		-		-		-
Deposits, Recorded by the State Comptroller	\$		\$		\$	377
GRAND TOTAL - ALL FUNDS						
Total Cash Receipts per Board	\$	751,650	\$	1,001,897	\$	3,553
Plus - In transit at beginning of year		75		-		75
Less - In transit at end of year				75		
Total Deposits per State Comptroller's Records	\$	751,725	\$	1,001,822	\$	3,628

### FUNCTIONS AND PLANNING PROGRAM

For the Two Years Ended June 30, 2018 (NOT EXAMINED)

### Mission and Role

The Illinois Pollution Control Board (Board) was created in 1970 by the Environmental Protection Act (Act) (415 ILCS 5/1 et seq.). The Act is Illinois' primary law for safeguarding the environment from pollution. The Board endeavors to:

Establish coherent, uniform, and workable environmental standards and regulations that restore, protect, and enhance the quality of Illinois' environment;

Perform impartial decision-making that resolves environmental disputes in a manner that brings to bear technical and legal expertise, public participation, and judicial integrity; and

Provide 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.

The Board has two main functions:

1) Adopting environmental rules for Illinois (determining, defining and implementing environmental control standards for the State).

During the rulemaking process, the Board ensures that the rules are:

- a) economically reasonable,
- b) technically feasible,
- c) protective of human health and
- d) protective of the environment.
- 2) Deciding non-criminal environmental cases (as described below, including but not limited to, enforcement actions filed by the Attorney General's Office or individual citizens alleging non-criminal violations of the Act; variance and adjusted standard petitions; appeals from final State agency decisions (primarily from the Illinois Environmental Protection Agency; appeals from decisions by local authorities regarding siting of pollution control facilities; and administrative citations).

The Board consists of five members with experience in the field of pollution control, appointed by the Governor and subject to Illinois Senate confirmation. Board members serve three-year term appointments, which can be renewed by the Governor. The Board is chaired by Katie Papadimitriu. Board members as of June 30, 2018 were:

- Katie Papadimitriu
- Carrie Zalewski
- Cynthia Santos
- Brenda Carter
- U-Jung Choe

### FUNCTIONS AND PLANNING PROGRAM

For the Two Years Ended June 30, 2018 (NOT EXAMINED)

Board decisions in rulemakings and adjudicatory cases are based on legal documents filed with the Board, and testimony or comments gathered at public hearings or submitted by the public. The Board takes formal action and issues its orders by a majority vote of at least three Board members at meetings properly noticed and opened to the public under the Open Meetings Act. Final Board decisions may be appealed directly to the State's appellate courts.

Following meetings, the Board issues formal, written opinions and orders, explaining and setting forth reasons for its decisions. Board opinions and orders and Board meeting agendas and minutes (along with the Act, the Board's environmental regulations, the Board's procedural rules, and a wealth of other information) can be found on this web site http://pcb.illinois.gov/.

The Board hears many types of adjudicatory cases. The Board hears enforcement actions alleging violations of the Act and Board regulations. An enforcement action may be brought by anyone, including the Illinois Attorney General, a State's Attorney, or any individual, citizens group, association, unit of local government, or corporation. The Board also hears appeals of various types of decisions, including permit decisions made by the Illinois Environmental Protection Agency (IEPA); appeals of decisions made by the Office of the State Fire Marshal regarding the Underground Storage Tank Fund; appeals of landfill siting decisions made by counties and municipalities; and appeals of administrative citations issued by the IEPA or units of local government that have been delegated the authority to issue such citations. The Board hears various other types of cases, including requests for variances, adjusted standards and other types of relief from Board regulations and orders; applications for pollution control facility certification for property tax purposes; and claims that information is subject to protection as a trade secret or non-disclosable information.

The Board fulfills its responsibilities in an efficient and professional manner consistent with and relying on its procedural rules, case management, and staff training.

### Planning

The Board is a quasi-legislative and quasi-judicial body which does not function as a programmatic agency. The Board's strategic challenge is to provide a public process that fairly and effectively considers environmental cases and regulations, ensuring that the Act is interpreted, applied, and implemented impartially and consistently. The Board has set-up three goals in achieving its objectives: (1) promulgate sensible and sound environmentally protective regulations based on a decision-making process that brings to bear the most current scientific and technological information, and affords maximum public participation; (2) create a stable system of environmental law by impartially considering and deciding contested cases and promptly issuing well-written, well-reasoned opinions and orders; and, (3) reduce pollution by increasing public awareness of the Act and Board regulations.

### ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES

For the Two Years Ended June 30, 2018 (NOT EXAMINED)

The Illinois Pollution Control Board (Board) explanations for significant fluctuations in expenditures as presented in the Comparative Schedule of Net Appropriations, Expenditures and Lapsed balances (Schedule 3) are detailed below. For the purpose of this analysis, fluctuations equal to or in excess of \$5,000 and 20% in expenditures were considered to be significant.

# ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES BETWEEN FISCAL YEARS 2018 AND 2017

### **Underground Storage Tank Fund - 0072**

### Case Processing

Expenditures decreased by \$286,796 or 20%. The decrease was due to a hiring lag which created less personal services expenditures. In Fiscal Year 2018, the filling of positions was slow and three of the ten employees were on payroll less than five months of the fiscal year.

### Clean Air Permit Fund - 0091

### **Contractual Services**

Expenditures increased by \$9,453 or 100%. The increase was due to low cash available in this fund in Fiscal Year 2017. Thus, there were no expenditures in this line for Fiscal Year 2017.

### **Environmental Protection Permit and Inspection Fund - 0944**

### Group Insurance

Expenditures decreased by \$36,111 or 28%. The decrease in Group Insurance expenditures was due to one vacancy for the entire Fiscal Year 2018 and changes in employees' insurance plans which decreased insurance premiums.

### ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES

For the Two Years Ended June 30, 2018 (NOT EXAMINED)

# <u>ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES BETWEEN FISCAL</u> YEARS 2017 AND 2016

### **Underground Storage Tank Fund - 0072**

### **Case Processing**

Expenditures increased by \$651,300 or 84%. The increase was due to a shift of personal services dollars and benefits of six employees to this fund from the Clean Air Act Permit Fund (0091) in Fiscal Year 2017. This shift in appropriated headcount was due to a decrease in projected cash flow in the Clean Air Act Permit Fund (0091).

### Clean Air Permit Fund - 0091

### Personal Services

Expenditures decreased by \$366,630 or 57%. The decrease was due to a shift of personal services dollars and benefits of six employees from this fund to the Underground Storage Tank Fund (0072) in Fiscal Year 2017. This shift in appropriated headcount was due to a decrease in projected cash flow in this fund.

### State Contributions to State Employees' Retirement System

Expenditures decreased by \$171,449 or 58%. The decrease was due to a shift of personal services dollars and benefits of six employees from this fund to the Underground Storage Tank Fund (0072) in Fiscal Year 2017.

### State Contributions to Social Security

Expenditures decreased by \$26,852 or 57%. The decrease was due to a shift of personal services dollars and benefits of six employees from this fund to the Underground Storage Tank Fund (0072) in Fiscal Year 2017.

### Group Insurance

Expenditures decreased by \$78,213 or 53%. The decrease was due to a shift of personal services dollars and benefits of six employees from this fund to the Underground Storage Tank Fund (0072) in Fiscal Year 2017.

### **Contractual Services**

Expenditures decreased by \$10,000 or 100%. The decrease was due to low cash available in this fund in Fiscal Year 2017. Thus, there were no expenditures in this line for Fiscal Year 2017.

### ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES

For the Two Years Ended June 30, 2018 (NOT EXAMINED)

# <u>ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES BETWEEN FISCAL</u> YEARS 2017 AND 2016

### **Pollution Control State Trust Fund - 0207**

### Case Management

Expenditures increased by \$87,605 or 21%. The Board was allowed two years to spend the allocation from the Environmental Protection Trust Fund (0845). The level of funds available varies greatly depending on Board activity, number of cases, and the availability of appropriations in other funds. Further, due to the lack of a budget in Fiscal Year 2016, the Board was allowed to pay Fiscal Year 2016 expenditures in Fiscal Year 2017. Approximately five months of facilities lease payments for the Chicago Office space for Fiscal Year 2016 and lease payments for the Springfield and Champaign Offices were paid in Fiscal Year 2017.

### **Pollution Control Board Fund - 0277**

### Lump Sums

Expenditures decreased by \$36,456 or 100%. Due to the lack of cash to back the appropriations in Fiscal Year 2017, no expenditures were made from this fund.

### **Used Tire Management Services Fund - 0294**

### Used for Purposes provided in Section 55.6 of The Environmental Protection Act

Expenditures increased by \$92,693 or 36%. The increase was due to a shift of personal services dollars and benefits of one employee to this fund from the Environmental Protection Permit and Inspection Fund (0944) in Fiscal Year 2017 to assist with cash flow issues.

### ANALYSIS OF SIGNIFICANT VARIATIONS IN RECEIPTS

For the Two Years Ended June 30, 2018 (NOT EXAMINED)

The Illinois Pollution Control Board (Board) explanations for significant fluctuations in receipts as presented in the Comparative Schedule of Cash Receipts and Reconciliation to Cash Receipts to Deposits Remitted to the Comptroller (Schedule 5) are detailed below. For the purpose of this analysis, fluctuations equal to or in excess of \$5,000 and 20% in receipts were considered to be significant.

# ANALYSIS OF SIGNIFICANT VARIATIONS IN RECEIPTS BETWEEN FISCAL YEARS 2018 AND 2017

### Pollution Control State Trust Fund – Fund 207

Receipts decreased by \$250,000 or 25%. The purpose of this fund is to receive and expend funds made available from the Environmental Protection Trust Fund Commission. The decrease was due to a smaller grant allocation received from the Environmental Protection Trust Fund (0845) in Fiscal Year 2018.

# ANALYSIS OF SIGNIFICANT VARIATIONS IN RECEIPTS BETWEEN FISCAL YEARS 2017 AND 2016

### Pollution Control State Trust Fund – Fund 207

Receipts increased by \$1,000,000 or 100%. The purpose of this fund is to receive and expend funds made available from the Environmental Protection Trust Fund Commission. Due to the budget impasse in Fiscal Year 2016, the Pollution Control Board did not receive the \$500,000 transfer from the Environmental Protection Trust Fund (0845) until Fiscal Year 2017.

### ANALYSIS OF SIGNIFICANT LAPSE PERIOD SPENDING

For the Two Years Ended June 30, 2018 (NOT EXAMINED)

The Illinois Pollution Control Board (Board) explanations for significant lapse period spending as presented in the Schedule of Appropriations, Expenditures, and Lapsed Balances for Fiscal Years 2018 and 2017 (Schedules 1 and 2) are detailed below. For the purpose of this analysis, lapse period spending of \$5,000 and 20% or more of total expenditures was considered to be significant.

### **FISCAL YEAR 2018**

### **Pollution Control State Trust Fund – 0207**

### Case Management

The Lapse spending was due to payments of invoices during the Lapse period for indirect operational costs, including computer upgrades, monitors, supplies, equipment, and final payments to State revolving funds.

### **FISCAL YEAR 2017**

### **Pollution Control State Trust Fund - 0207**

### Case Management

The Lapse spending was due to payments of invoices during the Lapse period for indirect operational costs, including computer upgrades, monitors, supplies, equipment, and final payments to State revolving funds.

# STATE OF ILLINOIS POLLUTION CONTROL BOARD BUDGET IMPASSE DISCLOSURES

For the Two Years Ended June 30, 2018 (NOT EXAMINED)

### Payment of Fiscal Year 2016 Costs in Future Fiscal Years

Article 74 of Public Act 99-0524 authorized the Board to pay Fiscal Year 2016 costs using the Board's Fiscal Year 2017 appropriations for non-payroll expenditures. The Board held four Fiscal Year 2016 invoices, totaling \$57,911, which were paid in Fiscal Year 2017 using the non-appropriated Pollution Control Board State Trust Fund. Therefore, the Board did not use its Fiscal Year 2017 appropriations to pay its Fiscal Year 2016 costs.

In addition, Article 998 of Public Act 100-0021 authorized the Board to pay its unpaid Fiscal Year 2016 and Fiscal Year 2017 costs using either the Board's Fiscal Year 2017 or Fiscal Year 2018 appropriations for non-payroll expenditures. The Commission did not have any outstanding invoices from Fiscal Year 2017 unpaid after the closure of the Fiscal Year 2017 Lapse Period on September 30, 2017. Therefore, the Board did not use its Fiscal Year 2017 appropriations to pay its Fiscal Year 2016 costs and did not use either its Fiscal Year 2017 or Fiscal Year 2018 appropriations to pay its Fiscal Year 2016 or Fiscal Year 2017 costs.

# STATE OF ILLINOIS POLLUTION CONTROL BOARD ALTERNATIVE FINANCING IN LIEU OF APPROPRIATIONS AND PROGRAMS TO ADDRESS UNTIMELY PAYMENTS TO VENDORS

For the Two Years Ended June 30, 2018 (NOT EXAMINED)

### Transactions Involving the Illinois Finance Authority

The Pollution Control Board (Board) and its vendors did not participate in alternative financing in lieu of enacted appropriations involving the Illinois Finance Authority during Fiscal Year 2017.

### Transactions Involving the Vendor Payment Program and Vendor Support Initiative Program

None of the Board's vendors participated in the Vendor Payment Program (VPP) or the Vendor Support Initiative Program (VSI) during Fiscal Year 2017.

# STATE OF ILLINOIS POLLUTION CONTROL BOARD INTEREST COSTS ON FISCAL YEAR 2018 INVOICES

For the Two Years Ended June 30, 2018 (NOT EXAMINED)

### **Prompt Payment Interest Costs**

The Pollution Control Board (Board) did not incur any prompt payment interest due to vendors under the State Prompt Payment Act (Act) (30 ILCS 540). The Board's vendors were paid within 90 days or paid from funds and accounts that are ineligible for prompt payment interest due to vendors under the Act.

# STATE OF ILLINOIS POLLUTION CONTROL BOARD AVERAGE NUMBER OF EMPLOYEES

For the Two Years Ended June 30, 2018 (NOT EXAMINED)

The following table, prepared from Board records, presents the average number of Board employees, by function, for the Fiscal Year Ended June 30:

	2018	2017	2016
Fiscal Officer	1	1	1
Legal/Policy Advisors	5	5	6
Senior Attorneys	3	3	1
Staff Attorneys	4	3	4
Secretaries	1	1	2
Other	4	5	6
Environmental Scientists	2	2	2
Executive Director			1
Total	20	20	23

# STATE OF ILLINOIS POLLUTION CONTROL BOARD ANNUAL COST STATISTICS

For the Two Years Ended June 30, 2018 (NOT EXAMINED)

### **Cost Per Year Per Proceeding**

Comparative costs of case distributions and rulemakings were prepared from Board records for the three years ended June 30, 2018. This information was provided by Board personnel and has not been examined.

	Fiscal Year					
	2018		2017		2016	
Case Distribution		102		105		96
Rulemakings		32		18		17
Total Proceedings before the Board		134		123		113
Expenditures from Appropriated Funds	\$	2,865,030	\$	3,224,368	\$	3,282,104
Expenditures from Non-Appropriated Funds		499,991		497,751		410,146
Total Expenditures	\$	3,365,021	\$	3,722,119	\$	3,692,250
Total Cost per Proceeding	\$	25,112	\$	30,261	\$	32,675

Expenditures for computing proceeding cost per year represents total expenditures from appropriations and expenditures from the Pollution Control Board State Trust Fund (a non-appropriated fund).

# STATE OF ILLINOIS POLLUTION CONTROL BOARD INTERAGENCY AGREEMENT

For the Two Years Ended June 30, 2018 (NOT EXAMINED)

The Pollution Control Board (Board) entered into an interagency agreement with the State of Illinois, Environmental Protection Agency (Agency). This agreement established the Agency to act as a fiscal conduit through which funding will be made available to the Board. The Board shall, however, continue to operate as an independent board, without direction or oversight from the Agency. This agreement stated the Agency would process payments for the Board's employees; however, the Board would maintain control over matters of employment, procurement, and policy.

### STATE OF ILLINOIS

### POLLUTION CONTROL BOARD

### SERVICE EFFORTS AND ACCOMPLISHMENTS

For the Two Years Ended June 30, 2018 (NOT EXAMINED)

Represented below are cases handled by the Board for the Fiscal Year Ended June 30, 2018, 2017, and 2016:

	2018	2017	2016
Case by Type			
Variances (an extension to comply with rules)	-	-	21
Enforcement Cases	12	11	22
Permit Appeals	20	31	24
Administrative Citations	18	18	14
Adjusted Standards	3	-	1
Other (Energy planning, Community Right			
to know, trade secret cases, and procedural			
rule amendments)	49	45	14
Total Case Distribution	102	105	96
Regulations Proposed	32	18	17

Note: Under certain sections of the Environmental Protection Act, cases can be filed by various entities, such as the State of Illinois, Environmental Protection Agency, the Attorney General, counties, or pollution sources. The Board has no input into the filing of enforcement cases, permit appeals, reviews, or citations. As a result, any fluctuations are beyond the control of the Board.