



IPC

Illinois Pollution Control Board

BOARD MEETING MINUTES

May 12, 2022

11:00 a.m.

Videoconference

100 W. Randolph St. AND
Chicago, IL
Room 11-512

1021 N. Grand Avenue East
Springfield, IL
Conference Rm 1244 N, 1st Floor

ROLL CALL

The Clerk of the Board called the roll. The Chair and Members Gibson, Santos, and Van Wie, all of whom were physically present in Room 11-512, answered present. The Chair then made a motion under Section 7(a) of the Open Meetings Act (5 ILCS 120/7(a) (2020)) for Member Palivos to attend the meeting telephonically as she was prevented from physically attending because of personal illness. The Chair’s motion was approved by a roll call vote of 4-0, after which Member Palivos answered present in response to Clerk Brown.

ANNOUNCEMENTS

Chair Currie welcomed members of the public and staff.

PUBLIC REMARKS

None

APPROVAL OF MINUTES

The minutes of the Board’s May 12, 2022, regular open meeting were approved by a roll call vote of 4-0.

RULEMAKINGS

<u>R18-26</u>	<u>Amendments to 35 Ill. Adm. Code Subtitle F (Public Water Supplies)</u> – The Board adopted a first-notice opinion and order in this rulemaking to non-substantively amend the Board’s public water supply regulations.	5-0 roll call vote
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<u>R22-7</u>	<u>Wastewater Pretreatment Update, USEPA Regulations (January 1, 2021 through June 30, 2021) (Water)</u> – The Board adopted a final opinion and order in this “identical-in-substance” rulemaking to amend the Board’s wastewater pretreatment regulations.	5-0 roll call vote
<u>R22-8</u>	<u>National Ambient Air Quality Standards, USEPA Regulations (January 1, 2021 through June 30, 2021) (Air)</u> – The Board adopted a final opinion and order in this “identical-in-substance” rulemaking to amend the Board’s ambient air quality standards.	5-0 roll call vote

ADJUSTED STANDARDS

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ADMINISTRATIVE CITATIONS

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TIME-LIMITED WATER QUALITY STANDARDS

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ADJUDICATORY CASES

<u>PCB 21-26</u>	<u>People of the State of Illinois v. Yak Mat, LLC, Birch Creek Timber, LLC, and Leon Stutzman (Land, Air – Enforcement)</u> – Upon receiving a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement as to Yak Mat, LLC only, in this enforcement action involving two Greene County sites, the Board directed the Clerk to provide the required newspaper notice.	5-0 roll call vote
<u>PCB 21-110</u>	<u>CTI Development, LLC v. Illinois Environmental Protection Agency (Land – Variance)</u> – The Board granted IEPA’s motion to dismiss CTI’s second amended petition for variance.	5-0 roll call vote
<u>PCB 21-117</u>	<u>People of the State of Illinois v. Rolling Meadows Shell Mart, Inc. (Air – 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 Cook County gas station, the Board directed the Clerk to provide the required newspaper notice.	5-0 roll call vote

<u>PCB 22-8</u>	<u>People of the State of Illinois v. Mohamed Elnatour, d/b/a Faatima Citgo</u> (Air – Enforcement) – In this enforcement action concerning a Cook County gas station, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c)(1) (2020)), accepted a stipulation and proposed settlement, and ordered Elnatour to pay a \$5,000 civil penalty and to cease and desist from further violations.	5-0 roll call vote
<u>PCB 22-11</u>	<u>People of the State of Illinois v. United Ready Mix, Inc.</u> (Water, NPDES – Enforcement) – Held.	
<u>PCB 22-18</u>	<u>People of the State of Illinois v. Nomani Estate LLC, d/b/a Amstar</u> (Air – Enforcement) – In this enforcement action concerning a Cook County gas station, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c)(1) (2020)), accepted a stipulation and proposed settlement, and ordered Nomani to pay a \$5,000 civil penalty and to cease and desist from further violations.	5-0 roll call vote
<u>PCB 22-19</u>	<u>People of the State of Illinois v. Burbank S & K Realty, Inc. and Star Relax Station, Inc., d/b/a Burbank Gas</u> (Air – Enforcement) – In this enforcement action concerning a Cook County gas station, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c)(1) (2020)), accepted a stipulation and proposed settlement, and ordered respondents to pay a \$5,000 civil penalty and to cease and desist from further violations.	5-0 roll call vote
<u>PCB 22-20</u>	<u>People of the State of Illinois v. PPRE, LLC</u> (Air – Enforcement) – In this enforcement action concerning a Kane County gas station, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c)(1) (2020)), accepted a stipulation and proposed settlement, and ordered PPRE to pay a \$2,500 civil penalty and to cease and desist from further violations.	5-0 roll call vote
<u>PCB 22-25</u>	<u>People of the State of Illinois v. JJR Real Estate Group, Inc.</u> (Air – Enforcement) – In this enforcement action concerning a Kane County gas station, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c)(1) (2020)), accepted a stipulation and proposed settlement, and ordered JJR to pay a \$5,000 civil penalty and to cease and desist from further violations.	5-0 roll call vote

<u>PCB 22-26</u>	<u>People of the State of Illinois v. CBJS Real Estate Inc.</u> (Air – Enforcement) – In this enforcement action concerning a Kane County gas station, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c)(1) (2020)), accepted a stipulation and proposed settlement, and ordered CBJS to pay a \$2,500 civil penalty and to cease and desist from further violations.	5-0 roll call vote
<u>PCB 22-29</u>	<u>People of the State of Illinois v. Midway Land Management, Inc.</u> (Air – Enforcement) – In this enforcement action concerning a Cook County gas station, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c)(1) (2020)), accepted a stipulation and proposed settlement, and ordered Midway to pay a \$5,000 civil penalty and to cease and desist from further violations.	5-0 roll call vote
<u>PCB 22-30</u>	<u>Farmers State Bank of Alto Pass v. Illinois Environmental Protection Agency</u> (Land, RCRA – Permit Appeal) – Because Farmers State Bank failed to file a petition for review during the extended appeal period, the Board dismissed the case and closed the docket.	5-0 roll call vote
<u>PCB 22-32</u>	<u>People of the State of Illinois v. Rajwinder Kaur, individually and d/b/a Shell Gas Station</u> (Air – Enforcement) – In this enforcement action concerning a Cook County gas station, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c)(1) (2020)), accepted a stipulation and proposed settlement, and ordered Kaur to pay a \$5,000 civil penalty and to cease and desist from further violations.	5-0 roll call vote
<u>PCB 22-50</u>	<u>People of the State of Illinois v. Lehigh Gas Wholesale Services, Inc.</u> (Air – Enforcement) – In this enforcement action concerning a Cook County gas station, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c)(1) (2020)), accepted a stipulation and proposed settlement, and ordered Lehigh to pay a \$5,000 civil penalty and to cease and desist from further violations.	5-0 roll call vote
<u>PCB 22-51</u>	<u>Illinois Power Resources Generating, LLC v. Illinois Environmental Protection Agency</u> (Water, NPDES – Permit Appeal) – The Board accepted for hearing Illinois Power’s petition to contest one condition of the IEPA-issued National Pollutant Discharge Elimination System permit for the Duck Creek Power Plant.	5-0 roll call vote

<u>PCB 22-59</u>	<u>People of the State of Illinois v. RDK Ventures LLC</u> (Air – Enforcement) – In this enforcement action concerning 12 gas stations in Cook, DuPage, Lake, Kendall, McHenry, Grundy, and Will Counties, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c)(1) (2020)), accepted a stipulation and proposed settlement, and ordered RDK to pay a \$60,000 civil penalty and to cease and desist from further violations.	5-0 roll call vote
<u>PCB 22-61</u>	<u>ExxonMobil Oil Corporation v. Illinois Environmental Protection Agency</u> (UST Appeal) – The Board granted the parties’ request to extend the appeal period to August 5, 2022.	5-0 roll call vote
<u>PCB 22-62</u>	<u>People of the State of Illinois v. Cores For You, Inc. and Precision Foundry Tooling, Ltd.</u> (Water, Land, RCRA – Enforcement) – The Board accepted for hearing the People’s complaint concerning two properties in Hancock and Hamilton Counties.	5-0 roll call vote
<u>PCB 22-63</u>	<u>People of the State of Illinois v. Angel Oil Corporation</u> (Air – Enforcement) – The Board accepted for hearing the People’s complaint concerning Angel Oil’s gas station in Cook County.	5-0 roll call vote
<u>PCB 22-64</u>	<u>People of the State of Illinois v. MMJA Petro, Inc., d/b/a Marathon Fuel and Mini Mart</u> (Air – Enforcement) – The Board accepted for hearing the People’s complaint concerning MMJA’s gas station in Cook County.	5-0 roll call vote
<u>PCB 22-65</u>	<u>People of the State of Illinois v. South Side Equipment, Inc. and Illinois Tire Recycling Corporation</u> (Land – Enforcement) – The Board accepted for hearing the People’s complaint concerning respondents’ tire site in Cook County.	5-0 roll call vote
<u>PCB 22-66</u>	<u>Brandis Aircraft v. Illinois Environmental Protection Agency</u> (Land, RCRA – Permit Appeal) – The Board granted the parties’ request to extend the appeal period to August 29, 2022.	5-0 roll call vote

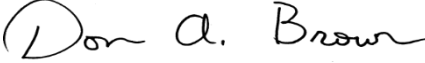
OTHER ITEMS

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ADJOURNMENT

Moved and seconded, by a roll call vote of 4-0, the Chair 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 26, 2022, by a vote of 5-0.

A handwritten signature in cursive script that reads "Don A. Brown". The signature is written in black ink and is positioned above a horizontal line.

Don Anthony Brown, Clerk
Illinois Pollution Control Board