

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)	
)	
BOARD CONSIDERATION OF)	R 25-18
ENVIRONMENTAL JUSTICE IN BOARD)	(Rulemaking – Procedural)
PROCEEDINGS)	

NOTICE OF ELECTRONIC FILING

To: Attached Service List

PLEASE TAKE NOTICE that on August 22, 2025, I electronically filed with the Clerk of the Illinois Pollution Control Board (“Board”) **INITIAL COMMENTS OF EARTHJUSTICE**, copies of which are served on you along with this notice.

Dated: August 22, 2025

Respectfully Submitted,

/s/ Jennifer Cassel
 Jennifer Cassel (IL Bar No. 6296047)
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INITIAL COMMENTS OF EARTHJUSTICE

Pursuant to 35 Ill. Adm. Code 101.628(c) and 101.110(a), Earthjustice hereby submits these comments in the above-referenced docket. Earthjustice greatly appreciates the Board’s opening of this docket. We concur with the Attorney General that “environmental justice is a crucial consideration in every environmental law decision and is vitally important for protecting the constitutional right to a healthful environment for all citizens of Illinois.”¹ Particularly as the importance of justice for overburdened communities is being questioned at other levels of government, Earthjustice believes it is incumbent upon Illinois—at its various levels of government and by every agency and entity created or empowered under Illinois law²—to step up and take concrete actions to combat environmental injustice.

As the Board may know, none of the legislative proposals discussed in the Board’s March 20, 2025, order in this docket were passed by Illinois lawmakers during the past legislative session. Accordingly, having conferred with the Chicago Environmental Justice Network³ and other representatives of environmental justice and community organizations, Earthjustice requests that the Board keep this docket open to explore mechanisms by which the Board may incorporate environmental justice into its rules.

We note that the Board stated in the above-referenced order that it may issue further guidance for participants in this docket. Earthjustice would be grateful for such guidance, as we believe it will serve the Board and all participants for the Board to provide greater detail regarding how this docket might assist the Board in considering environmental justice issues. For example, are there particular rules, or types of rules, into which the Board plans to build environmental justice considerations? In addition to the selection of environmental justice screening tools, are there particular types of standards that the Board believes will be helpful to it in considering environmental justice? The Chicago Environmental Justice Network has indicated it supports these requests to keep open this docket and for greater direction from the Board to

¹ PCB R 25-18, PC #2, Comment Submitted By The Attorney General’s Office (Feb. 25, 2025) at 1.

² As Illinois EPA notes, “Environmental justice concepts are embedded in a variety of State and federal laws, so it is appropriate for the Board to formally consider their application in its proceedings.” PCB R 25-28, PC # 1, Comment Submitted by the Environmental Protection Agency (Feb. 10, 2025) at 1.

³ The Chicago Environmental Justice Network is comprised of the following frontline community organizations: Little Village Environmental Justice Organization, Blacks In Green, People for Community Recovery, Southeast Environmental Taskforce, and Neighbors for Environmental Justice. *Members*, Chi. Env’tl. Just. Network, <https://www.chicagoejn.org/members>.

facilitate future engagement in this docket. We appreciate all guidance the Board can provide to help us understand how Earthjustice and other environmental and community groups can assist the Board in this essential effort.

Dated: August 22, 2025

Respectfully Submitted,

/s/ Jennifer L Cassel _____

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CERTIFICATE OF SERVICE

The undersigned, Jennifer Cassel, an attorney, certifies that I have served by email the Clerk and by email the individuals with email addresses named on the Service List provided on the Board's website, available at <https://pcb.illinois.gov/Cases/GetCaseDetailsById?caseId=17537>, a true and correct copy of the **INITIAL COMMENTS OF EARTHJUSTICE**, before 5 p.m. Central Time on August 22, 2025. The number of pages in the email transmission is 6 pages.

Dated: August 22, 2025

Respectfully Submitted,

/s/ Jennifer Cassel _____

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