

BOARD MEETING MINUTES

November 4, 2021

11:00 a.m.

Videoconference

100 W. Randolph St.AND1021 N. Grand Avenue EastChicago, ILSpringfield, ILRoom 02-025Conference Rm 1244 N, 1st Floor

ROLL CALL

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

ANNOUNCEMENTS

None.

PUBLIC REMARKS

None.

APPROVAL OF MINUTES

The minutes of the Board's October 7, 2021 regular open meeting were approved by a roll call vote of 4-0.

RULEMAKINGS

<u>R18-23</u>	Amendments to 35 Ill. Adm. Code Subtitle C: Water Pollution	4-0
	(Water) – The Board adopted a proposal for public comment in this	roll call vote
	rulemaking to amend its water pollution regulations.	

ADJUSTED STANDARDS

ADMINISTRATIVE CITATIONS

<u>AC 22-1</u>	Illinois Environmental Protection Agency v. Mark Siefert (Public	4-0
	Water Supply) – After Siefert failed to timely file a petition to contest	roll call vote
	the Illinois Environmental Protection Agency's administrative	
	citation, the Board found that Siefert violated Section 1.1(b)(3) of the	
	Public Water Supply Operations Act (415 ILCS 45/1.1(b)(3) (2020)),	
	as alleged. Because there were two violations of Section $1.1(b)(3)$, the	
	Board ordered the Siefert to pay a total civil penalty of \$1,000,	
	reflecting the statutory penalty of \$500 per violation	

TIME-LIMITED WATER QUALITY STANDARDS

PCB 14-111	Sanitary District of Decatur v. IEPA (Time-Limited WQS) - The	4-0
	Board granted the District's motion for voluntary dismissal,	roll call vote
	dismisses this proceeding, and closes the docket.	
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PCB 16-14	Village of Homewood v. IEPA	Van Wie
PCB 16-15	Village of Orland Park v. IEPA	
PCB 16-16	Village of Midlothian v. IEPA	
PCB 16-17	Village of Tinley Park v. IEPA	
PCB 16-18	ExxonMobil Oil Corporation v. IEPA	
PCB 16-20	Village of Wilmette v. IEPA	
PCB 16-21	City of Country Club Hills v. IEPA	
PCB 16-22	Noramco-Chicago, Inc. v. IEPA	
PCB 16-23	INEOS Joliet, LLC v. IEPA	
PCB 16-25	City of Evanston v. IEPA	
PCB 16-26	Village of Skokie v. IEPA	
PCB 16-27	Illinois Department of Transportation v. IEPA	
PCB 16-29	Metropolitan Water Reclamation District of Greater Chicago v. IEPA	
PCB 16-30	Village of Richton Park v. IEPA	
PCB 16-31	Village of Lincolnwood v. IEPA	
PCB 16-33	City of Oak Forest v. IEPA	
PCB 19-7	Village of Lynwood v. IEPA	
PCB 19-8	Citgo Holdings v. IEPA	
PCB 19-9	Village of New Lenox v. IEPA	
PCB 19-10	City of Lockport v. IEPA	
PCB 19-11	Caterpillar, Inc. v. IEPA	
PCB 19-12	City of Crest Hill v. IEPA	
PCB 19-13	City of Joliet v. IEPA	
PCB 19-14	Morton Salt, Inc. v. IEPA	
PCB 19-15	City of Palos Heights v. IEPA	
PCB 19-16	Village of Romeoville v. IEPA	
PCB 19-17	IMTT Illinois, LLC v. IEPA	
PCB 19-18	Stepan Company v. IEPA	
PCB 19-19	Village of Park Forest v. IEPA	
PCB 19-20	Ozinga Ready Mix Concrete, Inc. v. IEPA	
PCB 19-21	Ozinga Materials, Inc. v. IEPA	

PCB 19-22	Midwest Marine Terminals, LLC v. IEPA	ĺ
PCB 19-23	Village of Mokena v. IEPA	
PCB 19-24	Village of Oak Lawn v. IEPA	
PCB 19-25	Village of Dolton v. IEPA	
PCB 19-26	Village of Glenwood v. IEPA	
PCB 19-27	Village of Morton Grove v. IEPA	
PCB 19-28	Village of Lansing v. IEPA	
PCB 19-29	Village of Frankfort v. IEPA	
PCB 19-30	Village of Winnetka v. IEPA	
PCB 19-31	Village of La Grange v. IEPA	
PCB 19-33	Village of Channahon v. IEPA	
PCB 19-34	Cook County Department of Transportation and Highways v. IEPA	
PCB 19-35	Village of Niles v. IEPA	
PCB 19-36	Skyway Concession Company LLC v. IEPA	
PCB 19-37	Village of Elwood v. IEPA	
PCB 19-38	City of Chicago v. IEPA	
PCB 19-40	Village of Crestwood v. IEPA	
PCB 19-48	Village of Riverside v. IEPA	
(consol.)	(Time-Limited WQS) The Board granted Petitioners' request for a	
	chloride time-limited water quality standard in the Lower Des Plaines	
	River watershed and portions of the Chicago Area Waterway System	
	watershed.	

ADJUDICATORY CASES

PCB 21-3 PCB 21-5 (consol.)	Shree Kuber, Inc. v. Illinois Environmental Protection Agency Shree Kuber, Inc. v. Illinois Environmental Protection Agency (UST Appeal) – The Board denied Kuber's motion for partial summary judgment.	4-0 roll call vote
PCB 21-29	People of the State of Illinois v. Top Metal Buyers, Inc. People of the State of Illinois v. Top Metal Buyers, Inc. (Air, Land, RCRA – Enforcement) – The Board accepted the People's amended complaint for hearing adding LMS Industries, LLC as an additional respondent.	4-0 roll call vote
<u>PCB 21-47</u>	People of the State of Illinois v. Frontier North, Inc. (Water, NPDES – Enforcement) – In this enforcement action concerning a Williamson 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) (2020)), accepted a stipulation and proposed settlement, and ordered Frontier North to pay a \$7,000 civil penalty and to cease and desist from further violations.	4-0 roll call vote

<u>PCB 21-110</u>	CTI Development, LLC v. Illinois Environmental Protection Agency (Land – Variance) – The Board denied CTI's motion for leave to file a reply in support of its motion for leave to file a second amended petition. The Board granted CTI Development, LLC's motion for leave to file a second amended complaint, accepted the amended complaint, and set a deadline of November 19, 2021 for IEPA to file its recommendation.	4-0 roll call vote
<u>PCB 21-114</u>	People of the State of Illinois v. Bview Corporation, d/b/a Evergreen Park Citgo (Air – Enforcement) – In this enforcement action concerning a Cook 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) (2020)), accepted a stipulation and proposed settlement, and ordered Frontier North to pay a \$3,850 civil penalty and to cease and desist from further violations.	4-0 roll call vote
<u>PCB 22-11</u>	<u>People of the State of Illinois v. United Ready Mix, Inc.</u> (Water, NPDES – Enforcement) – The Board accepted the People's complaint for hearing concerning concerns United's ready-mix concrete manufacturing facilities located in Tazewell and Peoria Counties.	4-0 roll call vote
<u>PCB 22-13</u>	People of the State of Illinois v. Tim Schisler, d/b/a Maple City Construction, and RCM Transport, Inc. (Land, Air – Enforcement) – The Board accepted the People's complaint for hearing concerning RCM Transport's property located in Warren County.	4-0 roll call vote
<u>PCB 22-14</u>	People of the State of Illinois v. Simar Gas & Food Mart Inc., d/b/a <u>US Petro Mart IncCitgo</u> (Air – Enforcement) – Upon receiving a complaint, a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving a site in Cook County, the Board accepted the complaint and ordered publication of the required newspaper notice.	4-0 roll call vote
<u>PCB 22-15</u>	<u>People of the State of Illinois v. Palatine Land, LLC</u> (Air – Enforcement) – The Board accepted the People's complaint for hearing concerning Palatine Land's gas station located in Cook County.	4-0 roll call vote
<u>PCB 22-16</u>	People of the State of Illinois v. Fard One Incorporated, d/b/a <u>Midwest Gas Station</u> (Air – Enforcement) – The Board accepted the People's complaint for hearing concerning Midwest's gas station located in Cook County.	4-0 roll call vote

<u>PCB 22-17</u>	People of the State of Illinois v. Combined Real Estate LLC, d/b/aMobil Mart (Air – Enforcement) – The Board accepted the People'scomplaint for hearing concerning Mobil Mart's gas station located inCook County.	4-0 roll call vote
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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 December 2, 2021, by a vote of 4-0.

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Don Anthony Brown, Clerk Illinois Pollution Control Board