



# IPC

Illinois Pollution Control Board

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## BOARD MEETING MINUTES

**March 2, 2023**

**11:00 a.m.**

### **Videoconference**

160 N. LaSalle St.  
Chicago, IL  
**Room N-505**

AND

1021 N. Grand Avenue East  
Springfield, IL  
**Conference Rm 1244 N, 1<sup>st</sup> Floor**

### **ROLL CALL**

The Clerk of the Board called the roll. The Chair and Members Gibson and Santos, who were physically present in Room N-505, answered present. The Chair then made a motion under Section 7(a)(i) of the Open Meetings Act (5 ILCS 120/7(a)(i) (2020)) and Section 2175.120(d)(2) of the Board's administrative rules (2 Ill. Adm. Code 2175.120(d)(2)) for Member Van Wie 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 3-0, after which Member Van Wie answered present.

### **ANNOUNCEMENTS**

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None.

### **PUBLIC REMARKS**

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None.

### **APPROVAL OF MINUTES**

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The minutes of the Board's February 16, 2023 regular open meeting were approved by a roll call vote of 4-0.

## RULEMAKINGS

<a href="#"><u>R18-23</u></a>	<u>Amendments to 35 Ill. Adm. Code Subtitle C: Water Pollution (Water)</u> – The Board adopted a final opinion and order adopting non-substantive amendments to its water pollution rules.	4-0 roll call vote
<a href="#"><u>R18-26</u></a>	<u>Amendments to 35 Ill. Adm. Code Subtitle F: Public Water Supplies (Public Water Supply)</u> – The Board adopted a second-notice opinion and order proposing non-substantive amendments to its public water supply rules.	4-0 roll call vote
<a href="#"><u>R18-28</u></a>	<u>Amendments to 35 Ill. Adm. Code Subtitle I: Atomic Radiation (Atomic Radiation)</u> – The Board adopted a second-notice opinion and order proposing non-substantive amendments to its atomic radiation rules.	4-0 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

<a href="#"><u>PCB 17-2</u></a>	<u>Midstate Salvage Corp. v. Illinois Environmental Protection Agency (UST Appeal)</u> – The Board granted Midstate Salvage’s motion to dismiss this appeal concerning its underground storage tank site in Christian County.	4-0 roll call vote
<a href="#"><u>PCB 17-7</u></a>	<u>Martin &amp; Bayley, Inc. v. Illinois Environmental Protection Agency (UST Appeal)</u> – The Board granted Martin & Bayley’s motion to dismiss this appeal concerning its underground storage tank site in Coles County.	4-0 roll call vote
<a href="#"><u>PCB 17-55</u></a>	<u>City of Monmouth v. Illinois Environmental Protection Agency (UST Appeal)</u> – The Board granted the City of Monmouth’s motion to dismiss this appeal concerning its underground storage tank site in Warren County.	4-0 roll call vote

<a href="#"><u>PCB 18-61</u></a>	Forrest Land Trust v Illinois Environmental Protection Agency (UST Appeal) – The Board granted Forrest Land Trust’s motion to dismiss this appeal concerning its underground storage tank site in Livingston County.	4-0 roll call vote
<a href="#"><u>PCB 18-69</u></a>	<u>Whitmore Management, Inc. v. Illinois Environmental Protection Agency</u> (UST Appeal) – The Board granted Whitmore Management’s motion to dismiss this appeal concerning its underground storage tank site in Iroquois County.	4-0 roll call vote
<a href="#"><u>PCB 19-2</u></a>	<u>Reliable Stores, Inc. v. Office of State Fire Marshal</u> (UST Appeal) – In response to a letter from the Office of the State Fire Marshal (OSFM), the Board construed the letter as a motion for relief from the Board’s final order in this docket. The Board then denied OSFM’s motion, which sought direction on issuing an deductible determination.	4-0 roll call vote
<a href="#"><u>PCB 22-40</u></a>	<u>People of the State of Illinois v. MDDS Real Estate, Inc., d/b/a Citgo Petroleum</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 MDDS Real Estate to pay a \$1,500 civil penalty and to cease and desist from further violations.	4-0 roll call vote
<a href="#"><u>PCB 22-80</u></a>	<u>People of the State of Illinois v. Ibrahim Mubarak</u> (Air – Enforcement) – The Board granted the People’s unopposed motion to deem facts admitted and for summary judgment. The Board therefore found that Mubarak violated Section 9(a) of the Environmental Protection Act (415 ILCS 5/9(a) (2020)) and Section 218.586(i)(1)(B) and (i)(2)(C) of the Board’s air pollution regulations (35 Ill. Adm. Code 218.586(i)(1)(B), (i)(2)(C)), as the People’s complaint alleged. The Board also ordered Mubarak to pay a \$10,000 civil penalty, as the People’s motion requested.	4-0 roll call vote
<a href="#"><u>PCB 22-91</u></a>	<u>People of the State of Illinois v. Masagk, 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 Masagk to pay a \$5,000 civil penalty and to cease and desist from further violations.	4-0 roll call vote

<a href="#"><u>PCB 23-10</u></a>	<u>People of the State of Illinois v. Ali Farhan</u> (Air – Enforcement) – Upon receiving a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action concerning a Cook County gas station, the Board directed the Clerk to provide the required newspaper notice.	4-0 roll call vote
<a href="#"><u>PCB 23-16</u></a>	<u>EMCO Chemical Distributors, Inc. v. Illinois Environmental Protection Agency</u> (UST Appeal) – The Board granted EMCO Chemical Distributors’ motion to dismiss this appeal concerning its underground storage tank site in Lake County.	4-0 roll call vote
<a href="#"><u>PCB 23-19</u></a>	<u>People of the State of Illinois v. Golf Kilbourn LLC</u> (Air – Enforcement) – Upon receiving a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action concerning a Cook County gas station, the Board directed the Clerk to provide the required newspaper notice.	4-0 roll call vote
<a href="#"><u>PCB 23-27</u></a>	<u>People of the State of Illinois v. Mohammed Siddiqui, individually and d/b/a BP</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 Siddiqui to pay a \$5,000 civil penalty and to cease and desist from further violations.	4-0 roll call vote
<a href="#"><u>PCB 23-34</u></a>	<u>People of the State of Illinois v. PPC Flexible Packaging, LLC</u> (Air – Enforcement) – In this enforcement action concerning a flexographic printing facility in Lake County, 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 PPC Flexible Packaging to pay a \$6,650 civil penalty and to cease and desist from further violations.	4-0 roll call vote
<a href="#"><u>PCB 23-36</u></a>	<u>People of the State of Illinois v. R &amp; D # 1 Inc., d/b/a BP 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 R &D #1 to pay a \$5,000 civil penalty and to cease and desist from further violations.	4-0 roll call vote

<a href="#"><u>PCB 23-86</u></a>	People of the State of Illinois v. Chemtrade Solutions, LLC (Air – Enforcement) – In this enforcement action concerning a sodium aluminum sulfate processing plant in St. Clair County, 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 Chemtrade Solutions to pay a \$12,000 civil penalty and to cease and desist from further violations.	4-0 roll call vote
<a href="#"><u>PCB 23-87</u></a>	People of the State of Illinois v. Filmquest Group, Inc. (Air, CAAPP – Enforcement) – In this enforcement action concerning a flexible packaging manufacturing facility in Will County, 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 Filmquest Group to pay a \$5,000 civil penalty and to cease and desist from further violations.	4-0 roll call vote
<a href="#"><u>PCB 23-88</u></a>	People of the State of Illinois v. Chicago Pulaski, LLC (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 Chicago Pulaski to pay a \$5,000 civil penalty and to cease and desist from further violations.	4-0 roll call vote
<a href="#"><u>PCB 23-92</u></a>	Bunge Milling, Inc. v. Illinois Environmental Protection Agency (Air, FESOP – Permit Appeal) – The Board accepted for hearing this permit appeal involving Bunge Milling’s grain elevator and corn milling facility in Vermilion County. The Board reserved ruling on Bunge Milling’s motion to stay the contested permit conditions.	4-0 roll call vote
<a href="#"><u>PCB 23-93</u></a>	People of the State of Illinois v. Conagra Foods Packaged Foods, LLC (Air, CAAPP – Enforcement) – Upon receiving a complaint, a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action concerning a Coles County facility, the Board directed the Clerk to provide the required newspaper notice of the settlement-related filings.	4-0 roll call vote
<a href="#"><u>PCB 23-94</u></a>	People of the State of Illinois v. Lorel Avenue Food Mart & Fuel Inc. (Air – Enforcement) – The Board accepted for hearing the People’s complaint concerning Lorel Avenue Food Mart & Fuel’s gas station in Cook County.	4-0 roll call vote

<a href="#"><u>PCB 23-95</u></a>	<u>People of the State of Illinois v. Jim’s Formal Wear LLC</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 concerning drycleaning operations in Clinton County, the Board directed the Clerk to provide the required newspaper notice of the settlement-related filings.	4-0 roll call vote
<a href="#"><u>PCB 23-96</u></a>	<u>CID Recycling &amp; Disposal Facility v. Illinois Environmental Protection Agency</u> (Land, RCRA – Permit Appeal) – The Board granted the parties’ request to extend the appeal period to May 24, 2023.	4-0 roll call vote
<a href="#"><u>PCB 23-97</u></a>	<u>People of the State of Illinois v. Crown Properties Enterprises, Inc.</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 concerning a Cook County gas station, the Board directed the Clerk to provide the required newspaper notice of the settlement-related filings.	4-0 roll call vote
<a href="#"><u>PCB 23-98</u></a>	<u>People of the State of Illinois v. Soufian Abdelkader</u> (Air – Enforcement) – The Board accepted for hearing the People’s complaint concerning Abdelkader’s gas station in Cook County.	4-0 roll call vote

**OTHER ITEMS**

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**ADJOURNMENT**

Moved and seconded, by a roll call vote, 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 April 6, 2023, by a vote of 3-0.



Don Anthony Brown, Clerk  
Illinois Pollution Control Board