



# IPCB

Illinois Pollution Control Board

---

## BOARD MEETING MINUTES

**June 15, 2023**

**11:00 a.m.**

### Videoconference

160 N. LaSalle St.  
Chicago, IL  
Room N-502

AND

1021 N. Grand Ave. East  
Springfield, IL  
Conf. Room 1244 N, 1<sup>st</sup> Floor

### **ROLL CALL**

---

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

### **ANNOUNCEMENTS**

---

Chair Currie announced that Governor Pritzker reappointed Member Van Wie.

### **PUBLIC REMARKS**

---

None.

### **APPROVAL OF MINUTES**

---

The minutes of the Board's June 1, 2023 regular open meeting were approved by a roll call vote of 3-0.

### **RULEMAKINGS**

---

--	--	--

### **ADJUSTED STANDARDS**

---

--	--	--

**ADMINISTRATIVE CITATIONS**

<a href="#"><u>AC 23-11</u></a>	<u>Illinois Environmental Protection Agency v. Tag Warehouse, LLC and Deca Improvements, Inc.</u> (Land) – After respondents failed to timely file a petition to contest the administrative citation, the Board found that they violated Section 21(p)(1) and (p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(7) (2020)), as alleged. Because there were two violations of Section 21(p), the Board ordered respondents to pay a total civil penalty of \$3,000, reflecting the statutory penalty of \$1,500 per violation.	3-0 roll call vote
<a href="#"><u>AC 23-12</u></a>	<u>Illinois Environmental Protection Agency v. Robert C. Crowder Trust, Mary E. McClelland Trust, and Max McClelland</u> (Land) – No action taken.	Held
<a href="#"><u>AC 23-14</u></a>	<u>Illinois Environmental Protection Agency v. Rome Keith and Sokpheap Keith</u> (Land) – The Board granted the Illinois Environmental Protection Agency’s motion to voluntarily dismiss this administrative citation for failure to timely serve the citation on respondents.	3-0 roll call vote

**TIME-LIMITED WATER QUALITY STANDARDS**

--	--	--

**ADJUDICATORY CASES**

<a href="#"><u>PCB 23-69</u></a>	<u>Paul Christian Pratapas v. Everclean Car Wash and Woodridge Police Department</u> (Water, NPDES – Enforcement, Citizen) – The Board directed the Clerk to correct the name of one of the respondents in the docket from “Woodridge Police Department” to “Village of Woodridge.” The Board granted in part Everclean’s motion to dismiss for frivolousness. The Board also struck five of Mr. Pratapas’ requests for relief (numbered three through seven in his complaint) as beyond the Board’s authority to grant. The Board directed Mr. Pratapas to file an amended complaint by July 17, 2023, to address the alleged violations with greater specificity and his request for relief. The Board also dismissed the Village of Woodridge from the case as the order struck all requests for relief related to that respondent.	3-0 roll call vote
----------------------------------	--	-----------------------

<p><a href="#"><u>PCB 23-79</u></a></p>	<p><u>Paul Christian Pratapas v. Winding Creek by Pulte Homes and City of Batavia</u> (Water, NPDES – Enforcement, Citizen) – The Board directed the Clerk to correct the name of one of the respondents in the docket from “Winding Creek by Pulte Homes” to “Pulte Home Company, LLC.” The Board granted Pulte’s motion to not accept the complaint for failure to serve. The Board reserved ruling on Pulte’s motion to dismiss and directed Mr. Pratapas to file by July 17, 2023, the required proof that he served the complaint on Pulte. The Board granted in part Batavia’s motion to dismiss the complaint and struck three of Mr. Pratapas’ requests for relief (numbered 3, 4, and 7 in his complaint) as beyond the Board’s authority to grant. The Board also directed Mr. Pratapas to file an amended complaint by July 17, 2023, to address the alleged violations with greater specificity.</p>	<p>3-0 roll call vote</p>
<p><a href="#"><u>PCB 23-81</u></a></p>	<p><u>Paul Christian Pratapas v. Silo Bend and the Townes by Silo Bend by M/I Homes</u> (Water, NPDES – Enforcement, Citizen) – The Board directed the Clerk to correct the name of one of the respondents in the docket from “Silo Bend and the Townes By Silo Bend by M/I Homes” to “M/I Homes.” The Board granted in part M/I’s motion to dismiss for frivolousness and directed Mr. Pratapas to file an amended complaint by July 17, 2023, to address the alleged violations with greater specificity and his request for relief. The Board struck one of Mr. Pratapas’ requests for relief and denied M/I’s motion to dismiss over purported affirmative matter.</p>	<p>3-0 roll call vote</p>
<p><a href="#"><u>PCB 23-113</u></a></p>	<p><u>People of the State of Illinois v. Okaw Truss, Inc.</u> (Water, NPDES – Enforcement) – In this enforcement action concerning a commercial and residential construction component manufacturing facility in Douglass 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 the parties’ stipulation and proposed settlement, and ordered Okaw Truss to pay a civil penalty of \$8,500 and to cease and desist from further violations.</p>	<p>3-0 roll call vote</p>
<p><a href="#"><u>PCB 23-114</u></a></p>	<p><u>People of the State of Illinois v. Green Meadows Estates of Rockford, LLC and Green Meadows Estates MHC, LLC</u> (Public Water Supply – Enforcement) – In this enforcement action concerning a mobile home park in Winnebago 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 the parties’ stipulation and proposed settlement, and ordered respondents to pay a civil penalty of \$40,000 and to cease and desist from further violations.</p>	<p>3-0 roll call vote</p>
<p><a href="#"><u>PCB 23-120</u></a></p>	<p><u>People of the State of Illinois v. Balwinder Kaur, d/b/a BP</u> (Air – Enforcement) – The Board accepted the People’s complaint for hearing concerning Kaur’s gas station in Cook County.</p>	<p>3-0 roll call vote</p>

<a href="#"><u>PCB 23-121</u></a>	<u>People of the State of Illinois v. Chicago Magnesium Casting Company</u> (Air – Enforcement) – The Board accepted the People’s complaint for hearing concerning Chicago Magnesium’s magnesium and aluminum foundry in Cook County.	3-0 roll call vote
<a href="#"><u>PCB 23-122</u></a>	<u>People of the State of Illinois v. Lee Trucking, Inc.</u> (Water, NPDES – Enforcement) – The Board accepted the People’s complaint for hearing concerning Lee Trucking’s fuel tanks in Iroquois County.	3-0 roll call vote
<a href="#"><u>PCB 23-123</u></a>	<u>People of the State of Illinois v. Tennis Dairy Farm, LLP</u> (Water – Enforcement) – The Board accepted the People’s complaint for hearing concerning Tennis Dairy’s animal feeding operation in Wabash County.	3-0 roll call vote
<a href="#"><u>PCB 23-124</u></a>	<u>People of the State of Illinois v. Village of Blue Mound</u> (Water, NPDES – 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 Macon County sewage treatment plant, the Board accepted the complaint and directed the Clerk to provide the required newspaper notice of the settlement-related filings.	3-0 roll call vote
<a href="#"><u>PCB 23-125</u></a>	<u>People of the State of Illinois v. K.D. Crain &amp; Sons, Inc.</u> (Water, NPDES – 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 K.D. Crain’s Southern Delta Mine in Williamson and Saline Counties, the Board accepted the complaint and directed the Clerk to provide the required newspaper notice of the settlement-related filings.	3-0 roll call vote
<a href="#"><u>PCB 23-126</u></a>	<u>Mullins Foods Products and Angell Realty XII, LLC v. Illinois Environmental Protection Agency</u> (UST Appeal) – The Board granted the parties’ request to extend the appeal period to September 18, 2023.	3-0 roll call vote
<a href="#"><u>PCB 23-127</u></a>	<u>Maher Lumber Company v. Illinois Environmental Protection Agency</u> (UST Appeal) – The Board granted the parties’ request to extend the appeal period to September 24, 2023.	3-0 roll call vote

**OTHER ITEMS**

	By a 3-0 roll call vote, the Board granted the Chair's Motion under Sections 2(c)(1) and 2a of the Open Meetings Act (5 ILCS 120/2(c)(1), 2a (2020)) to close a portion of this open meeting to the public to consider personnel matters. The Board went into closed session. The Board took no action on the personnel matters discussed. After concluding the closed portion of the meeting, the Board returned to adjourn the open meeting.	
--	--	--

**ADJOURNMENT**

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



---

Don Anthony Brown, Clerk  
Illinois Pollution Control Board