ILLINOIS POLLUTION CONTROL BOARD January 8, 2024

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 22-79
)	(Enforcement - Air)
CURLESS FLYING SERVICE, INC, an)	
Illinois corporation, and FARM AIR, INC., an)	
Illinois corporation)	
-)	
Respondents.)	

HEARING OFFICER ORDER

On November 30, 2023, the parties filed a joint motion for entry of a HIPAA qualified protective order. The parties seek an order prohibiting the use of health information received in this litigation to be used for any other purpose, and subsequently requiring that the information be returned or destroyed. The parties' request is beyond the scope of the Board, thus the motion is denied.

Documents filed with the Board may be considered non-disclosable if the parties complete an application for non-disclosure for each document pursuant to 35 Ill. Adm. Code 130.404.

The parties should look to HIPAA to govern the handling of health-related documents that are not filed with the Board. The Board does not have clear authority or control over such documents.

IT IS SO ORDERED.

Carol Webb

Hearing Officer

Illinois Pollution Control Board 1021 North Grand Avenue East

P.O. Box 19274

Springfield, Illinois 62794-9274

217/524-8509

Carol.Webb@illinois.gov

Carol Webb

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were e-mailed on January 8, 2024, to each of the persons on the service list below.

It is hereby certified that a true copy of the foregoing order was e-mailed to the following on January 8, 2024:

Don Brown Illinois Pollution Control Board 60 E. Van Buren Street Suite 630 Chicago, Illinois 60605

Carol Webb

Carol Webb Hearing Officer Illinois Pollution Control Board 1021 North Grand Avenue East P.O. Box 19274 Springfield, Illinois 62794-9274 217/524-8509 Carol.Webb@illinois.gov

@ Consents to electronic service

PCB 2022-079@ Christina L. Nannini Office of the Attorney General 500 South Second Street Springfield, IL 62706 PCB 2022-079@ Mark T. Banovetz Tressler, LLP 233 S. Wacker Drive 22nd Floor Chicago, IL 60606

PCB 2022-079@ Jennifer A. Dancy Tressler, LLP 233 S. Wacker Drive 22nd Floor Chicago, IL 60606