



IPC

Illinois Pollution Control Board

BOARD MEETING MINUTES

DECEMBER 7, 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, 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 November 16, 2023 regular open meeting were approved by a roll call vote of 4-0.

RULEMAKINGS

<u>R23-9</u>	SDWA Update, USEPA Amendments (July 1, 2022 through December 31, 2022) (Public Water Supply) – The Board adopted a final opinion and order in this “identical-in-substance” rulemaking to amend the Board’s drinking water regulations.	4-0 roll call vote
<u>R24-6</u>	Wastewater Pretreatment Update, USEPA Amendments (January 1, 2023 through June 30, 2023) (Water) – The Board adopted a proposal for public comment in this “identical-in-substance” rulemaking to amend the Board’s wastewater pretreatment regulations.	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

<u>PCB 17-51</u>	<u>Jeet Singh d/b/a Aman Food & Gas v. Illinois Environmental Protection Agency (UST Appeal)</u> – The Board granted Singh’s motion for voluntary dismissal of this appeal concerning an underground storage tank site in Rock Island County.	4-0 roll call vote
<u>PCB 21-45</u>	<u>People of the State of Illinois v. Youth Fair Chance, Inc., d/b/a Capitol Reuse Center, and Dale Rowden (Land, RCRA – Enforcement)</u> – The Board granted the People’s unopposed motion to deem facts admitted and for summary judgment against Rowden. The Board therefore found that Rowden violated Sections 21(a), 21(e), and 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(a), 21(e), 21(p)(1) (2022)) and Section 808.121(c)(1) of the Board’s waste disposal regulations (35 Ill. Adm. Code 808.121(c)(1)), as the People’s complaint alleged. The Board also ordered Rowden to pay a \$5,000 civil penalty, as the People’s motion requested.	4-0 roll call vote
<u>PCB 22-94</u>	<u>People of the State of Illinois v. Norman Junejo (Air – Enforcement)</u> – In this enforcement action concerning a Cook County gas station, the Board granted the People’s motion for voluntary dismissal of their complaint without prejudice.	4-0 roll call vote
<u>PCB 23-9</u>	<u>People of the State of Illinois v. La Fox BP, Inc. and Fox River Petro, LLC (Air – Enforcement)</u> – The Board granted the People’s unopposed motion to deem facts admitted and for summary judgment. The Board therefore found that La Fox BP and Fox River Petro violated Section 9(a) of the Environmental Protection Act (415 ILCS 5/9(a) (2022)) and Section 218.586(i)(1)(B) and (i)(2)(C) of the Board’s air pollution control regulations (35 Ill. Adm. Code 218.586(i)(1)(B), (i)(2)(C)), as the People’s complaint alleged. The Board also ordered each respondent to pay a \$10,000 civil penalty, as the People’s motion requested.	4-0 roll call vote

<u>PCB 23-60</u>	<u>Paul Christian Pratapas v. Lexington Trace LLC</u> (Water, NPDES – Enforcement, Citizen) – The Board denied Lexington Trace’s motion to dismiss with prejudice and Pratapas’ motions to amend his complaint. The Board dismissed the case because Pratapas failed to timely file an amended complaint.	4-0 roll call vote
<u>PCB 23-106</u>	<u>People of the State of Illinois v Hill Top Group, 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) (2022)), accepted a stipulation and proposed settlement, and ordered Hill Top to pay a \$5,000 civil penalty and to cease and desist from further violations.	4-0 roll call vote
<u>PCB 23-117</u>	<u>People of the State of Illinois v Qasem Ahmed d/b/a Harvey Marathon</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
<u>PCB 23-118</u>	<u>People of the State of Illinois v SJK1 Inc.</u> (Air – Enforcement) – The Board granted the People’s unopposed motion to deem facts admitted and for summary judgment. The Board therefore found that SJK1 violated Section 9(a) of the Environmental Protection Act (415 ILCS 5/9(a) (2022)) and Section 218.586(i)(1)(B) and (i)(2)(C) of the Board’s air pollution control regulations (35 Ill. Adm. Code 218.586(i)(1)(B), (i)(2)(C)), as the People’s complaint alleged. The Board also ordered SJK1 to pay a \$10,000 civil penalty, as the People’s motion requested.	4-0 roll call vote
<u>PCB 24-16</u>	<u>People of the State of Illinois v. Nasser Yafai, Quick Gas & Mini Mart, Inc., CYPR Harvey, Inc. d/b/a Quick Gas & Mini Mart, Inc., and Harvey Real Estate, Inc.</u> (Air – Enforcement) – Upon receiving a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement as to Nasser Yafai and Quick Gas & Mini Mart 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
<u>PCB 24-34</u>	<u>Raccoon Creek Farm, LLC – Raccoon Creek Turkey Farm v. Illinois Environmental Protection Agency</u> (Water – Tax Certification) – The Board found and certified that Raccoon Creek Farm’s poultry manure storage building in Lawrence County is a pollution control facility for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2022)).	4-0 roll call vote

<u>PCB 24-35</u>	People of the State of Illinois v. Techo-Bloc Midwest Corp. (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 concrete block plant in Rock Island County, the Board accepted the complaint and directed the Clerk to provide the required newspaper notice of the settlement-related filings.	4-0 roll call vote
<u>PCB 24-36</u>	Falcon Ridge Farms, LLC v. Illinois Environmental Protection Agency (Water – Tax Certification) – The Board found and certified that Falcon Ridge Farms’ livestock waste management facilities in Adams County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2022)).	4-0 roll call vote
<u>PCB 24-37</u>	People of the State of Illinois v. Enterprise ANS LLC (Air – Enforcement) – The Board accepted for hearing the People’s complaint concerning this Cook County gas station.	4-0 roll call vote
<u>PCB 24-39</u>	People of the State of Illinois v. Ferrara Candy Company (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 Cook County candy production plant, the Board accepted the complaint and directed the Clerk to provide the required newspaper notice of the settlement-related filings.	4-0 roll call vote

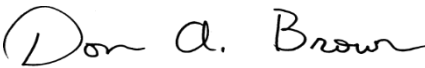
OTHER ITEMS

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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 January 4, 2024, by a vote of 4-0.



Don Anthony Brown, Clerk
Illinois Pollution Control Board