



IPCB

Illinois Pollution Control Board

BOARD MEETING MINUTES

April 18, 2024

11:00 a.m.

Videoconference

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

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 April 4, 2024 regular open meeting were approved by a roll call vote of 4-0.

RULEMAKINGS

R22-17	<u>Amendments to 35 Ill. Adm. Code Part 203: Major Stationary Sources Construction and Modification, 35 Ill. Adm. Code Part 204: Prevention of Significant Deterioration, and Part 232: Toxic Air Contaminants (Air)</u> – The Board adopted a first-notice proposal to amend the Board's air pollution regulations.	4-0 roll call vote
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ADJUSTED STANDARDS

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ADMINISTRATIVE CITATIONS

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TIME-LIMITED WATER QUALITY STANDARDS

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ADJUDICATORY CASES

<p><u>PCB 23-115</u></p>	<p><u>People of the State of Illinois v. Trushar Patel d/b/a Shivam Energy, Inc., Rajani P. Patel d/b/a Shivam Energy, Inc., and Jay Patel</u> (Air – Enforcement) – The Board granted the People’s motion for leave to file a second amended complaint, adding, as a respondent, Jay Shri Ganesh, Inc. d/b/a Shivam Energy, Inc. and d/b/a Marathon Gas. The Board also granted the People’s motion to voluntarily dismiss, without prejudice, Trushar Patel d/b/a Shivam Energy, Inc., Rajani P. Patel d/b/a Shivam Energy, Inc., and Jay Patel.</p>	<p>4-0 roll call vote</p>
<p><u>PCB 23-120</u></p>	<p><u>People of the State of Illinois v. Balwinder Kaur, d/b/a BP</u> (Air – Enforcement) – In this enforcement action concerning a Cook County gas station, the Board granted the People’s motion to withdraw their motion to deem facts admitted and for summary judgment. In addition, upon receiving a stipulation, proposed settlement, and motion for relief from the hearing requirement, the Board directed the Clerk to provide the required newspaper notice.</p>	<p>4-0 roll call vote</p>
<p><u>PCB 24-37</u></p>	<p><u>People of the State of Illinois v. Enterprise ANS LLC</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 Enterprise ANS to pay a \$5,000 civil penalty and to cease and desist from further violations.</p>	<p>4-0 roll call vote</p>
<p><u>PCB 24-42</u></p>	<p><u>Paul Christian Pratapas v. Lexington Trace LLC and Lexington Trace 2 LLC</u> (Water, NPDES – Enforcement, Citizen) – The Board found that Pratapas unreasonably failed to comply with the Board’s April 4, 2024 order. Under that order and the Board’s authority to impose sanctions (35 Ill. Adm. Code 101.800), the Board dismissed his complaint with prejudice.</p>	<p>4-0 roll call vote</p>

<u>PCB 24-47</u>	<p><u>People of the State of Illinois v. Advantage Automation Midwest, Inc. (Air – Enforcement)</u> – In this enforcement action concerning a Macon County equipment manufacturing plant, 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 Advantage Automation Midwest to pay a \$10,500 civil penalty and to cease and desist from further violations.</p>	4-0 roll call vote
<u>PCB 24-53</u>	<p><u>Dynergy Midwest Generation, LLC v. Illinois Environmental Protection Agency (Land, CCR – Appeal)</u> – The Board granted Dynergy’s unopposed motion to stay the requirements of 35 Ill. Adm. Code 845.650(d), 845.660, 845.670, and 845.680 as they apply to exceedances of the chloride, lithium, sulfate, and total dissolved solids (TDS) groundwater protection standards at New East Ash Pond, which is a coal combustion residual (CCR) surface impoundment at Dynergy’s Vermilion Power Plant in Vermilion County.</p>	4-0 roll call vote
<u>PCB 24-55</u>	<p><u>Illinois Power Generating Company v. Illinois Environmental Protection Agency (Land, CCR – Appeal)</u> – The Board granted IPGC’s unopposed motion to stay the requirements of 35 Ill. Adm. Code 845.650(d), 845.660, 845.670, and 845.680 as they apply to the exceedances of the cobalt groundwater protection standard at Ash Pond No. 2, which is a coal combustion residual (CCR) surface impoundment at IPGC’s Coffeen Power Plant in Montgomery County.</p>	4-0 roll call vote
<u>PCB 24-56</u>	<p><u>Illinois Power Generating Company v. Illinois Environmental Protection Agency (Land, CCR – Appeal)</u> – The Board granted IPGC’s unopposed motion to stay the requirements of 35 Ill. Adm. Code 845.650(d), 845.660, 845.670, and 845.680 as they apply to exceedances of the sulfate and total dissolved solids (TDS) groundwater protection standards at Ash Pond No. 2, which is a coal combustion residual (CCR) surface impoundment at IPGC’s Coffeen Power Plant in Montgomery County.</p>	4-0 roll call vote

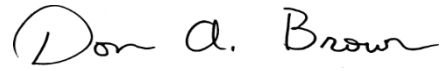
OTHER ITEMS

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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 May 2, 2024, by a vote of 3-0.

A handwritten signature in black ink that reads "Don A. Brown". The signature is written in a cursive style with a large, circular initial "D".

Don Anthony Brown, Clerk
Illinois Pollution Control Board