



IPCB

Illinois Pollution Control Board

BOARD MEETING MINUTES

April 7, 2022

11:00 a.m.

Videoconference

100 W. Randolph St. AND
Chicago, IL
Room 2-025

1021 N. Grand Avenue East
Springfield, IL
Conference Rm 1244 N, 1st Floor

ROLL CALL

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

ANNOUNCEMENTS

Chair Currie welcomed members of the public and staff.

PUBLIC REMARKS

None

APPROVAL OF MINUTES

The minutes of the Board's March 17, 2022 regular open meeting were approved by a roll call vote of 5-0.

RULEMAKINGS

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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

<u>PCB 18-49</u>	<u>Marathon Petroleum Company LP v. Illinois Environmental Protection Agency (Thermal Demonstration)</u> – The Board granted Marathon Petroleum Company’s request for alternative thermal effluent limitations, subject to conditions.	5-0 roll call vote
<u>PCB 19-60</u> <u>PCB 19-61</u> <u>Consol.</u>	<u>Sheridan-Joliet Land Development LLC and Sheridan Sand & Gravel Co. (Wiensland Ave. Site) v. Illinois Environmental Protection Agency</u> <u>Sheridan-Joliet Land Development LLC and Sheridan Sand & Gravel Co. (N4201 Rd. Site) v. Illinois Environmental Protection Agency (CCCD – Permit Appeal)</u> – The Board granted Sheridan-Joliet Land Development and Sheridan Sand & Gravel’s motion to voluntarily dismiss these consolidated permit appeals concerning two LaSalle County clean construction or demolition debris facilities.	5-0 roll call vote
<u>PCB 20-10</u>	<u>Marek Kruk v. New Trier High School (Noise – Enforcement, Citizens)</u> – The Board denied New Trier’s motion for summary judgment. The Board construed Marek Kruk’s motion for leave to file a sur-reply and for oral argument as a motion to establish a discovery schedule, which was granted. The Board also denied Kruk’s motion to amend the complaint, but granted Kruk, Heather Walsh, and Cristian Downey until May 23, 2022, to file an amended complaint.	5-0 roll call vote
<u>PCB 22-8</u>	<u>People of the State of Illinois v. Mohamed Elnatour, d/b/a Faatima Citgo (Air – Enforcement)</u> – The Board granted the People’s motion to file a first amended complaint and accepted the first amended complaint in this enforcement action involving a Cook County gas station. Also, upon receiving a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement, the Board directed the Clerk to provide the required newspaper notice.	5-0 roll call vote
<u>PCB 22-10</u>	<u>People of the State of Illinois v. Kash Enterprises Incorporated, d/b/a Marathon (Air – Enforcement)</u> – 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 Kash Enterprises to pay a \$5,000 civil penalty and to cease and desist from further violations.	

<u>PCB 22-11</u>	<u>People of the State of Illinois v. United Ready Mix, Inc. (Water, NPDES – Enforcement)</u> – Upon receiving a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving two concrete manufacturing facilities located in Peoria and Tazewell Counties, the Board directed the Clerk to provide the required newspaper notice.	5-0 roll call vote
<u>PCB 22-17</u>	<u>People of the State of Illinois v. Combined Real Estate LLC, d/b/a Mobil Mart (Air – Enforcement)</u> – 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 Combined Real Estate to pay a \$5,000 civil penalty and to cease and desist from further violations.	5-0 roll call vote
<u>PCB 22-18</u>	<u>People of the State of Illinois v. Nomani Estate LLC, d/b/a Amstar (Air – Enforcement)</u> – Upon receiving a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving a Cook County gas station, the Board directed the Clerk to provide the required newspaper notice.	5-0 roll call vote
<u>PCB 22-19</u>	<u>People of the State of Illinois v. Burbank S & K Realty, Inc. and Star Relax Station, Inc., d/b/a Burbank Gas (Air – Enforcement)</u> – Upon receiving a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving a Cook County gas station, the Board directed the Clerk to provide the required newspaper notice.	5-0 roll call vote
<u>PCB 22-20</u>	<u>People of the State of Illinois v. PPRE, LLC (Air – Enforcement)</u> – Upon receiving a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving a Kane County gas station, the Board directed the Clerk to provide the required newspaper notice.	5-0 roll call vote
<u>PCB 22-25</u>	<u>People of the State of Illinois v. JJR Real Estate Group, Inc. (Air – Enforcement)</u> – Upon receiving a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving a Kane County gas station, the Board directed the Clerk to provide the required newspaper notice.	5-0 roll call vote
<u>PCB 22-26</u>	<u>People of the State of Illinois v. CBJR Real Estate Inc. (Air – Enforcement)</u> – Upon receiving a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving a Kane County gas station, the Board directed the Clerk to provide the required newspaper notice.	5-0 roll call vote

<u>PCB 22-29</u>	<u>People of the State of Illinois v. Midway Land Management, Inc.</u> (Air – Enforcement) – Upon receiving a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving a Cook County gas station, the Board directed the Clerk to provide the required newspaper notice.	5-0 roll call vote
<u>PCB 22-32</u>	<u>People of the State of Illinois v. Rajwinder Kaur, individually and d/b/a Shell Gas Station</u> (Air – Enforcement) – Upon receiving a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving a Cook County gas station, the Board directed the Clerk to provide the required newspaper notice.	5-0 roll call vote
<u>PCB 22-33</u>	<u>People of the State of Illinois v. Sam’s Auto Service, 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 Sam’s Auto Service to pay a \$5,000 civil penalty and to cease and desist from further violations.	5-0 roll call vote
<u>PCB 22-35</u>	<u>People of the State of Illinois v. Lincoln Petro, Inc., d/b/a Citgo</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 Lincoln Petro to pay a \$5,000 civil penalty and to cease and desist from further violations.	5-0 roll call vote
<u>PCB 22-37</u>	<u>People of the State of Illinois v. Harvey Gas and Mini Mart, 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 Harvey Gas and Mini Mart to pay a \$5,000 civil penalty and to cease and desist from further violations.	5-0 roll call vote
<u>PCB 22-39</u>	<u>People of the State of Illinois Holy Cross Hospital</u> (Air – Enforcement) – In this enforcement action concerning a Cook County healthcare facility, 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 Holy Cross Hospital to pay a \$5,000 civil penalty and to cease and desist from further violations.	5-0 roll call vote

<u>PCB 22-50</u>	<u>People of the State of Illinois v. Lehigh Gas Wholesale Services, Inc.</u> (Air – Enforcement) – Upon receiving a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving a Cook County gas station, the Board directed the Clerk to provide the required newspaper notice.	5-0 roll call vote
<u>PCB 22-51</u>	<u>Illinois Power Resources Generating, LLC v. Illinois Environmental Protection Agency</u> (Water, NPDES – Permit Appeal) – The Board granted the parties’ request to extend the appeal period to May 5, 2022.	5-0 roll call vote
<u>PCB 22-52</u>	<u>Prairie South Farm, LLC v. Illinois Environmental Protection Agency</u> (Water – Tax Certification) – The Board found and certified that Prairie South Farm’s livestock waste composting building located in White County is a pollution control facility for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2020)).	5-0 roll call vote
<u>PCB 22-53</u>	<u>Bank of Pontiac v. Illinois Environmental Protection Agency</u> (UST Appeal) – The Board granted the parties’ request to extend the appeal period to July 13, 2022.	5-0 roll call vote
<u>PCB 22-54</u>	<u>Happy’s Super Service v. Illinois Environmental Protection Agency</u> (UST Appeal) – The Board granted the parties’ request to extend the appeal period to July 5, 2022.	5-0 roll call vote
<u>PCB 22-55</u>	<u>Happy’s Super Service v. Illinois Environmental Protection Agency</u> (UST Appeal) – The Board granted the parties’ request to extend the appeal period to July 5, 2022.	5-0 roll call vote
<u>PCB 22-56</u>	<u>Happy’s Super Service v. Illinois Environmental Protection Agency</u> (UST Appeal) – The Board granted the parties’ request to extend the appeal period to July 5, 2022.	5-0 roll call vote
<u>PCB 22-57</u>	<u>People of the State of Illinois v. SCI Box, LLC</u> (Water, NPDES – Enforcement) – The Board accepted the People’s complaint for hearing concerning SCI Box’s corrugated cardboard box manufacturing facility located in Jefferson County.	5-0 roll call vote
<u>PCB 22-58</u>	<u>People of the State of Illinois v. Elite Car Wash, Inc.</u> (Air – Enforcement) – The Board accepted the People’s complaint for hearing concerning Elite Car Wash’s gas station located in Cook County.	5-0 roll call vote

<u>PCB 22-59</u>	People of the State of Illinois v. RDK Ventures LLC (Air – Enforcement) – Upon receiving a complaint, a stipulation and proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving twelve gas stations located in Cook, DuPage, Lake, McHenry, Will, Grundy, and Kendall Counties, the Board accepted the complaint and directed the Clerk to provide the required newspaper notice of the settlement-related filings.	5-0 roll call vote
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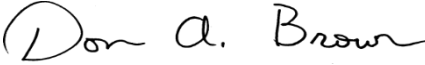
OTHER ITEMS

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ADJOURNMENT

Moved and seconded, by a roll call vote of 5-0, 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 April 21, 2022, by a vote of 5-0.



Don Anthony Brown, Clerk
Illinois Pollution Control Board