



IPCB

Illinois Pollution Control Board

BOARD MEETING MINUTES

May 26, 2022

11:00 a.m.

Videoconference

100 W. Randolph St. AND
Chicago, IL
Room 11-512

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

ROLL CALL

The Clerk of the Board called the roll. Chair Currie and Members Santos, Van Wie, and Gibson answered present. Member Palivos was absent.

ANNOUNCEMENTS

Chair Currie welcomed members of the public and staff.

For their assistance with the then-pending relocation of the Board’s Chicago office to 60 E. Van Buren St., Suite 630, Chair Currie gave special thanks to these staff members: Marie Tipsord, Tim Fox, Lynn Hedges, Barbara Mims, Don Brown, and Richard McGill.

PUBLIC REMARKS

None

APPROVAL OF MINUTES

The minutes of the Board’s May 12, 2022, regular open meeting were approved by a roll call vote of 4-0.

RULEMAKINGS

<u>R20-19(A)</u>	Standards for the Disposal of Coal Combustion Residuals in Surface Impoundments: Proposed New 35 Ill. Adm. Code 845 (Sub Docket A) (Land) – The Board granted the Environmental Groups’ motion for a 60-day period—following the public comment deadline of June	4-0 roll call vote
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	3, 2022—to allow participants to file responsive public comments. Accordingly, responsive public comments are due by August 2, 2022.	
<u>R22-20</u>	<u>Amendments to the Board’s Administrative Rules 2 Ill. Adm. Code 2175 (Administrative)</u> – The Board adopted a final opinion and order in this rulemaking to amend the Board’s Title 2 administrative rules.	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 18-49</u>	<u>Marathon Petroleum Company LP v. Illinois Environmental Protection Agency (Thermal Demonstration)</u> – The Board granted Marathon Petroleum’s motion to modify the Board’s April 7, 2022 opinion and order.	4-0 roll call vote
<u>PCB 22-11</u>	<u>People of the State of Illinois v. United Ready Mix, Inc. (Water, NPDES – Enforcement)</u> – In this enforcement action concerning United Ready Mix’s two manufacturing locations (one in Pekin and one in Peoria), 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 United Ready Mix to pay a \$13,140 civil penalty and to cease and desist from further violations.	4-0 roll call vote
<u>PCB 22-38</u>	<u>People of the State of Illinois v. 159th and Crawford Business Inc. and 159th and Crawford Real Estate Inc. (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 respondents to pay a \$5,000 civil penalty and to cease and desist from further violations.	4-0 roll call vote

<u>PCB 22-60</u>	<u>People of the State of Illinois v. Caterpillar Inc.</u> (Land, Water – Enforcement) – In this enforcement action concerning Caterpillar’s manufacturing facility in Livingston 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 a stipulation and proposed settlement, and ordered Caterpillar to pay a \$33,000 civil penalty and to cease and desist from further violations.	4-0 roll call vote
<u>PCB 22-67</u>	<u>People of the State of Illinois v. Swenson Spreader, LLC</u> (Air – Enforcement) – The Board accepted for hearing the People’s complaint concerning Swenson Spreader’s manufacturing facility in Ogle County.	4-0 roll call vote
<u>PCB 22-68</u>	<u>Nathan Wiegand Farm v. Illinois Environmental Protection Agency</u> (Water – Tax Certification) – The Board found and certified that Nathan Wiegand Farm’s livestock waste management facilities in Woodford County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2020)).	4-0 roll call vote
<u>PCB 22-69</u>	<u>Sierra Club and Prairie Rivers Network v. Illinois Environmental Protection Agency and Williamson Energy LLC</u> (Permit Appeal – Third Party, NPDES) – The Board accepted Sierra Club and Prairie Rivers Network’s petition for hearing in this third-party National Pollutant Discharge Elimination System permit appeal involving Williamson Energy’s Pond Creek coal mine in Williamson and Franklin Counties.	4-0 roll call vote
<u>PCB 22-70</u>	<u>People of the State of Illinois v. KJS Properties LLC</u> (Air – Enforcement) – The Board accepted for hearing the People’s complaint concerning KJS Properties’ gas station in Cook County.	4-0 roll call vote
<u>PCB 22-71</u>	<u>People of the State of Illinois v. Laila Enterprises, Inc.</u> (Air – Enforcement) – The Board accepted for hearing the People’s complaint concerning Laila Enterprises’ gas station in Cook County.	4-0 roll call vote
<u>PCB 22-72</u>	<u>Lower Farms Inc. v. Illinois Environmental Protection Agency</u> (Water – Tax Certification) – The Board found and certified that Lower Farm’s livestock waste management facilities in Carroll County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2020)).	4-0 roll call vote
<u>PCB 22-73</u>	<u>Kent Wesson Farm v. Illinois Environmental Protection Agency</u> (Water – Tax Certification) – The Board found and certified that Kent Wesson Farm’s livestock waste management facilities in DeKalb County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2020)).	4-0 roll call vote

<u>PCB 22-74</u>	<u>H&N Enterprise, LLC v. Illinois Environmental Protection Agency (Water – Tax Certification)</u> – The Board found and certified that H&N Enterprise’s livestock waste management facilities in Henry County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2020)).	4-0 roll call vote
<u>PCB 22-75</u>	<u>Fatheree Producers – Xenia v. Illinois Environmental Protection Agency (Water – Tax Certification)</u> – The Board found and certified that Fatheree Producers’ livestock waste management facilities in Clay County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2020)).	4-0 roll call vote
<u>PCB 22-76</u>	<u>Monte Drake v. Illinois Environmental Protection Agency (Water – Tax Certification)</u> – The Board found and certified that Monte Drake’s livestock waste management facilities in Henry County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2020)).	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 June 9, 2022, by a vote of 5-0.



Don Anthony Brown, Clerk
Illinois Pollution Control Board