



# IPC

Illinois Pollution Control Board

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## BOARD MEETING MINUTES

July 21, 2022

11:00 a.m.

100 W. Randolph St.  
Chicago, IL  
Room 9-040

### ROLL CALL

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The Clerk of the Board called the roll. Chair Currie and Members Gibson and Santos answered present. Members Palivos and VanWie were absent.

### ANNOUNCEMENTS

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None

### PUBLIC REMARKS

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None

### APPROVAL OF MINUTES

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The minutes of the Board's June 23, 2022 regular open meeting were approved by a roll call vote of 3-0.

### 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

<a href="#"><u>PCB 06-61</u></a>	<u>Southern Illinois Power Cooperative v. Illinois Environmental Protection Agency</u> (Air, CAAPP – Permit Appeal) – The Board granted Southern Illinois Power Cooperative’s motion for voluntary dismissal.	3-0 roll call vote
<a href="#"><u>PCB 19-79</u></a>	<u>Parker’s Gas &amp; More, Inc. v. Illinois Environmental Protection Agency</u> (UST Appeal) – The Board construed a July 12, 2021 filing by the Illinois Environmental Protection Agency (IEPA) as a reply for which IEPA had not requested leave to file and did not accept or consider it. The Board granted IEPA’s June 24, 2021 motion for leave to reply in support of its motion for summary judgment. The Board denied IEPA’s motion to strike Exhibits A and B submitted by Parker’s Gas & More, Inc. (Parker) and took official notice of Exhibit B. The Board denied Parker’s motion for summary judgment. The Board denied IEPA’s motion for summary judgment. The Board directed its hearing officer to proceed to hearing.	3-0 roll call vote
<a href="#"><u>PCB 22-46</u></a>	<u>Arrow Road Construction Company v. Illinois Environmental Protection Agency</u> (UST Appeal) – Because Arrow Road Construction Company failed to file a petition during the extended appeal period, the Board dismissed the case and closed the docket.	3-0 roll call vote
<a href="#"><u>PCB 22-47</u></a>	<u>Arrow Road Construction Company v. Illinois Environmental Protection Agency</u> (UST Appeal) – Because Arrow Road Construction Company failed to file a petition during the extended appeal period, the Board dismissed the case and closed the docket.	3-0 roll call vote
<a href="#"><u>PCB 22-53</u></a>	<u>Bank of Pontiac v. Illinois Environmental Protection Agency</u> (UST Appeal) – Because Bank of Pontiac failed to file a petition during the extended appeal period, the Board dismissed the case and closed the docket.	3-0 roll call vote
<a href="#"><u>PCB 22-54</u></a>	<u>Happy’s Super Service v. Illinois Environmental Protection Agency</u> (UST Appeal) – Because Happy’s Super Service failed to file a petition during the extended appeal period, the Board dismissed the case and closed the docket.	3-0 roll call vote
<a href="#"><u>PCB 22-55</u></a>	<u>Happy’s Super Service v. Illinois Environmental Protection Agency</u> (UST Appeal) – Because Happy’s Super Service failed to file a petition during the extended appeal period, the Board dismissed the case and closed the docket.	3-0 roll call vote

<a href="#"><u>PCB 22-56</u></a>	<u>Happy's Super Service v. Illinois Environmental Protection Agency (UST Appeal)</u> – Because Happy's Super Service failed to file a petition during the extended appeal period, the Board dismissed the case and closed the docket.	3-0 roll call vote
<a href="#"><u>PCB 22-58</u></a>	<u>People of the State of Illinois v. Elite Car Wash, 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 Cook County gas station, the Board directed the Clerk to provide the required newspaper notice.	3-0 roll call vote
<a href="#"><u>PCB 22-62</u></a>	<u>People of the State of Illinois v. Cores for You, Inc. and Precision Foundry Tooling, Ltd. (Water, Land, RCRA – 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 properties in Hancock County, the Board directed the Clerk to provide the required newspaper notice.	3-0 roll call vote
<a href="#"><u>PCB 22-88</u></a>	<u>People of the State of Illinois v. Mohammad Motlanio (Air – Enforcement)</u> – The Board accepted for hearing the People's complaint concerning Mohammad Motlanio's gas station in Cook County.	3-0 roll call vote
<a href="#"><u>PCB 22-89</u></a>	<u>People of the State of Illinois v. Parkland Enterprises, Inc. (Air – Enforcement)</u> – The Board accepted for hearing the People's complaint concerning Parkland Enterprises, Inc.'s gas station in Cook County.	3-0 roll call vote
<a href="#"><u>PCB 22-90</u></a>	<u>People of the State of Illinois v. Parkland Enterprises, Inc. (Air – Enforcement)</u> – The Board accepted for hearing the People's complaint concerning Parkland Enterprises, Inc.'s gas station in Cook County.	3-0 roll call vote
<a href="#"><u>PCB 22-91</u></a>	<u>People of the State of Illinois v. Masagk, Inc. (Air – Enforcement)</u> – The Board accepted for hearing the People's complaint concerning Masagk, Inc.'s gas station in Cook County.	3-0 roll call vote
<a href="#"><u>PCB 22-92</u></a>	<u>Hampton Livestock Company v. Illinois Environmental Protection Agency (Water – Tax Certification)</u> – The Board found and certified that Hampton Livestock Company's livestock waste handling facilities in Mercer County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2020)).	3-0 roll call vote

<a href="#"><u>PCB 22-93</u></a>	<u>People of the State of Illinois v. Chicago Property on 103rd, LLC</u> (Air – Enforcement) – The Board accepted for hearing the People’s complaint concerning Chicago Property on 103rd, LLC’s gas station in Cook County.	3-0 roll call vote
<a href="#"><u>PCB 22-94</u></a>	<u>People of the State of Illinois v. Norman Junejo</u> (Air – Enforcement) – The Board accepted for hearing the People’s complaint concerning Norman Junejo’s gas station in Cook County.	3-0 roll call vote
<a href="#"><u>PCB 22-95</u></a>	<u>People of the State of Illinois v. Super Krish, Inc.</u> (Air – Enforcement) – The Board accepted for hearing the People’s complaint concerning Super Krish, Inc.’s gas station in Lake County.	3-0 roll call vote
<a href="#"><u>PCB 22-96</u></a>	<u>People of the State of Illinois v. The County of Cook</u> (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 involving a Cook County health facility, the Board accepted the complaint and directed the Clerk to provide the required newspaper notice of the settlement-related filings.	3-0 roll call vote
<a href="#"><u>PCB 22-97</u></a>	<u>People of the State of Illinois v. Ramachandra Reddy, individually and d/b/a BP Amoco Gas Station</u> (Air – Enforcement) – The Board accepted for hearing the People’s complaint concerning BP Amoco’s gas station in Cook County.	3-0 roll call vote
<a href="#"><u>PCB 23-1</u></a>	<u>People of the State of Illinois v. Minhaj Ahmed d/b/a Tumara Food Mart, Inc.</u> (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 involving Tumara Food Mart, Inc.’s Cook County gas station, the Board accepted the complaint and directed the Clerk to provide the required newspaper notice of the settlement-related filings.	3-0 roll call vote
<a href="#"><u>PCB 23-2</u></a>	<u>Carroll Limited Partnership-Carthage 1 v. Illinois Environmental Protection Agency</u> (Water – Tax Certification) – The Board found and certified that Carroll Limited Partnership’s livestock waste handling facilities in Hancock County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2020)).	3-0 roll call vote
<a href="#"><u>PCB 23-3</u></a>	<u>Carroll Limited Partnership-Carthage 2 v. Illinois Environmental Protection Agency</u> (Water – Tax Certification) – The Board found and certified that Carroll Limited Partnership’s livestock waste handling facilities in Hancock County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2020)).	3-0 roll call vote

<a href="#"><u>PCB 23-4</u></a>	<u>NYG Line Farms, LLC v. Illinois Environmental Protection Agency</u> (Water – Tax Certification) – The Board found and certified that NYG Line Farms, LLC’s livestock waste handling facilities in Henderson County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2020)).	3-0 roll call vote
<a href="#"><u>PCB 23-5</u></a>	<u>People of the State of Illinois v. Khalid Siddiqui</u> (Air – Enforcement) - The Board accepted for hearing the People’s complaint concerning Khalid Siddiqui’s gas station in Cook County.	3-0 roll call vote
<a href="#"><u>PCB 23-6</u></a>	<u>Az Spe, LLC v. Illinois Environmental Protection Agency</u> (UST Appeal) – The Board granted the parties’ request to extend the appeal period to October 6, 2022.	3-0 roll call vote
<a href="#"><u>PCB 23-7</u></a>	<u>People of the State of Illinois v. Millers Ready-Mix, LLC</u> (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 involving Millers Ready-Mix, LLC’s concrete ready-mix batch facility in Cook County, the Board accepted the complaint and directed the Clerk to provide the required newspaper notice of the settlement-related filings.	3-0 roll call vote
<a href="#"><u>PCB 23-8</u></a>	<u>People of the State of Illinois v. Downtown Oil Company, LLC</u> (Air – Enforcement) – The Board accepted for hearing the People’s complaint concerning Downtown Oil Company, LLC’s gas station in Cook County.	3-0 roll call vote
<a href="#"><u>PCB 23-9</u></a>	<u>People of the State of Illinois v. La Fox BP, Inc.</u> (Air – Enforcement) – The Board accepted for hearing the People’s complaint concerning La Fox BP, Inc.’s gas station in Kane County.	3-0 roll call vote
<a href="#"><u>PCB 23-10</u></a>	<u>People of the State of Illinois v. Ali Farhan</u> (Air – Enforcement) – The Board accepted for hearing the People’s complaint concerning Ali Farhan’s gas station in Cook County.	3-0 roll call vote
<a href="#"><u>PCB 23-11</u></a>	<u>People of the State of Illinois v. Emanuel Joseph, individually and d/b/a Shell</u> (Air – Enforcement) – The Board accepted for hearing the People’s complaint concerning Shell’s gas station in Cook County.	3-0 roll call vote
<a href="#"><u>PCB 23-12</u></a>	<u>Aqua Illinois, Inc. v. Illinois Environmental Protection Agency</u> (Permit Appeal – Public Water Supply) – The Board accepted for hearing Aqua Illinois, Inc’s petition to contest a permit modification denial and permit conditions concerning its University Park public water system. The Board reserved ruling on Aqua Illinois, Inc.’s motion to stay the contested conditions.	3-0 roll call vote

**OTHER ITEMS**

	The Board granted the Chair’s motion under Section 2(c)(4) of the Open Meetings Act (5 ILCS 120/2(c)(4) (2020)) to hold a Closed Deliberative Session on Thursday, August 4, 2022, at 10:00 a.m. regarding <u>Dersch Energies, Inc. v. Illinois Environmental Protection Agency, PCB 17-3 (UST Appeal)</u> , in which the Board held a public hearing on September 15, 2021.	3-0 roll call vote
	The Chair noted that, because the Board did not hold any closed meetings from July 1 through December 31, 2020, the Board did not need to determine whether to destroy verbatim recordings under Section 2.06(c) of the Open Meetings Act (5 ILCS 120/2.06(c) (2020)).	
	The Chair noted that, because the Board did not hold any closed meetings between January 1 through June 30, 2022, the Board did not need to determine whether to keep minutes confidential under Section 2.06(d) of the Open Meetings Act (5 ILCS 120/2.06(d) (2020)).	

**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 August 11, 2022, by a vote of 5-0.



Don Anthony Brown, Clerk  
Illinois Pollution Control Board