



IPC

Illinois Pollution Control Board

BOARD MEETING MINUTES

October 6, 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 at 11:10 am. The Chair and Members Gibson and Van Wie, all of whom were physically present in Room 2-025, answered present. The Chair then made a motion under Section 7(a)(iii) of the Open Meetings Act (5 ILCS 120/7(a)(iii) (2020)) for Member Santos to attend the meeting telephonically as she was prevented from physically attending because of a family emergency. The Chair’s motion was approved by a roll call vote of 3-0, after which Member Santos answered present. The Chair then made a motion under Section 7(a)(i) of the Open Meetings Act (5 ILCS 120/7(a)(i) (2020)) for Member Palivos to attend the meeting telephonically as she was prevented from physically attending because of personal illness. The Chair’s motion was approved by a roll call vote of 4-0, after which Member Palivos answered present.

ANNOUNCEMENTS

None

PUBLIC REMARKS

None

APPROVAL OF MINUTES

The minutes of the Board’s September 22, 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 23-16</u>	<u>EMCO Chemical Distributors, Inc. v. Illinois Environmental Protection Agency (UST Appeal)</u> – The Board accepted for hearing Emco’s amended petition for review of IEPA’s determination to deny the corrective action completion report for its leaking underground storage tank (UST) site in North Chicago, Lake County.	5-0 roll call vote
<u>PCB 23-33</u>	<u>Steve Sturtevant v. Illinois Environmental Protection Agency (Water – Tax Certification)</u> – The Board found and certified that Sturtevant’s livestock waste management facilities in Carroll County are pollution control facilities for preferential treatment under the Property Tax Code (35 ILCS 200/11-10 (2020)).	5-0 roll call vote
<u>PCB 23-37</u>	<u>Stacey Mueller v. Illinois Environmental Protection Agency (Water – Tax Certification)</u> – The Board found and certified that Mueller’s livestock waste management facilities in Bureau County are pollution control facilities for preferential treatment under the Property Tax Code (35 ILCS 200/11-10 (2020)).	5-0 roll call vote
<u>PCB 23-38</u>	<u>WIN Production, LLC v. Illinois Environmental Protection Agency (Water – Tax Certification)</u> – The Board found and certified that WIN Production’s livestock waste management facilities in Scott County are pollution control facilities for preferential treatment under the Property Tax Code (35 ILCS 200/11-10 (2020)).	5-0 roll call vote
<u>PCB 23-39</u>	<u>Malone Chemical, Inc. v. Illinois Environmental Protection Agency (Water – Tax Certification)</u> – Having received IEPA’s recommendation to deny pollution control facility certification of Malone’s liquid fertilizer tank in Livingston County, the Board notified Malone that, if it wishes to contest IEPA’s denial recommendation, it must file a petition to contest with the Board’s Clerk within 35 days after IEPA served the recommendation on Malone.	5-0 roll call vote

<u>PCB 23-43</u>	<u>People of the State of Illinois v. Bhaganwali Inc. (Air – Enforcement)</u> – The Board accepted for hearing the People’s complaint concerning Bhaganwali’s gas station in Will County.	5-0 roll call vote
<u>PCB 23-44</u>	<u>WRB Refining, LP (Selective Catalytic Reduction Unit) v. Illinois Environmental Protection Agency (Air – Tax Certification)</u> – The Board found and certified that WRB Refining’s SCR Unit in Madison County is a pollution control facility for preferential treatment under the Property Tax Code (35 ILCS 200/11-10 (2020)).	5-0 roll call vote
<u>PCB 23-45</u>	<u>Buckeye Terminals, LLC (Vapor Recovery Unit) v. Illinois Environmental Protection Agency (Air – Tax Certification)</u> – The Board found and certified that Buckeye Terminals’ vapor recovery unit in Cook County is a pollution control facility for preferential treatment under the Property Tax Code (35 ILCS 200/11-10 (2020)).	5-0 roll call vote
<u>PCB 23-46</u>	<u>Aqua Illinois, Inc. v. Illinois Environmental Protection Agency (Permit Appeal – Public Water Supply)</u> – The Board granted the parties’ request to extend the appeal period to November 3, 2022.	5-0 roll call vote
<u>PCB 23-47</u>	<u>People of the State of Illinois v. R & D #3, Inc. d/b/a BP AM PM Gas Station (Air – Enforcement)</u> – Having received a complaint, a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving a Lake County gas station, 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

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 October 20, 2022, by a vote of 5-0.



Don Anthony Brown, Clerk
Illinois Pollution Control Board