



IPC

Illinois Pollution Control Board

BOARD MEETING MINUTES

January 5, 2023

11:00 a.m.

Videoconference

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

1021 N. Grand Avenue East
Springfield, IL
Conference Rm 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 December 15, 2022 regular open meeting were approved by a roll-call vote of 4-0.

RULEMAKINGS

<u>R21-19</u>	<u>Drycleaner Environmental Response Trust Fund Act Proposal to Add 35 Ill. Adm. Code Part 1501, Repeal 35 Ill. Adm. Code Part 1500, and Repeal 2 Ill. Adm. Code Part 3100 (Land) – The Board adopted a final opinion and order in this rulemaking to adopt rules implementing the Drycleaner Environmental Response Trust (DERT) Fund Act (415 ILCS 135; Public Act 101-400, eff. July 1, 2020) and requesting leave to make a few non-substantive changes per JCAR agreement prior to publication.</u>	4-0 roll call vote
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ADJUSTED STANDARDS

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ADMINISTRATIVE CITATIONS

<p><u>AC 23-6</u></p>	<p><u>Illinois Environmental Protection Agency v. Darwin G. Steidinger and D&L Family Camping Inc.</u> (Land) – After respondents failed to timely file a petition to contest the administrative citation, the Board found that they violated Section 21(p)(1), (p)(3), and (p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(3), (p)(7) (2020)), as alleged. Because there were three violations of Section 21(p), the Board ordered respondents to pay a total civil penalty of \$4,500, reflecting the statutory penalty of \$1,500 per violation.</p>	<p>4-0 roll call vote</p>
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TIME-LIMITED WATER QUALITY STANDARDS

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ADJUDICATORY CASES

<p><u>PCB 22-41</u></p>	<p><u>People of the State of Illinois v. Rockbuild Enterprises, Inc.</u> (Air – Enforcement) – In this enforcement action concerning a Lake County gas station, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 IL 5/31(c)(1) (2020)), accepted the parties’ stipulation and proposed settlement, and ordered Rockbuild Enterprises to pay a civil penalty of \$5,000 and to cease and desist from further violations.</p>	<p>4-0 roll call vote</p>
<p><u>PCB 22-64</u></p>	<p><u>People of the State of Illinois v. MMJA Petro, Inc., d/b/a Marathon Fuel and Mini Mart</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 IL 5/31(c)(1) (2020)), accepted the parties’ stipulation and proposed settlement, and ordered MMJA Petro Enterprises to pay a civil penalty of \$5,000 and to cease and desist from further violations.</p>	<p>4-0 roll call vote</p>
<p><u>PCB 22-65</u></p>	<p><u>People of the State of Illinois v. South Side Equipment, Inc. and Illinois Tire Recycling Corporation</u> (Land – Enforcement) – In this enforcement action concerning a Cook County facility, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 IL 5/31(c)(1) (2020)), accepted the parties’ stipulation and proposed settlement, and ordered respondents to jointly and severally pay a civil penalty of \$8,000 and to cease and desist from further violations.</p>	<p>4-0 roll call vote</p>

<u>PCB 23-43</u>	<u>People of the State of Illinois v. Bhaganwali Inc.</u> (Air – Enforcement) – Upon receiving a stipulation, proposed settlement, and request for relief from the hearing requirement in this enforcement action concerning a Will County gas station, the Board directed the Clerk to provide the required newspaper notice.	4-0 roll call vote
<u>PCB 23-52</u>	<u>People of the State of Illinois v. Combined Real Estate, LLC</u> (Air – Enforcement) – In this enforcement action concerning a Will County gas station, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 IL 5/31(c)(1) (2020)), accepted the parties’ stipulation and proposed settlement, and ordered Combined Real Estate to pay a civil penalty of \$5,000 and to cease and desist from further violations.	4-0 roll call vote
<u>PCB 23-53</u>	<u>People of the State of Illinois v. Hueber, LLC</u> (Air – Enforcement) – In this enforcement action concerning an Ogle County animal feed handling and storage facility, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 IL 5/31(c)(1) (2020)), accepted the parties’ stipulation and proposed settlement, and ordered Hueber to pay a civil penalty of \$15,000 and to cease and desist from further violations.	4-0 roll call vote
<u>PCB 23-56</u>	<u>Countryside Disposal, LLC v. Fayette County</u> (Pollution Control Facility Siting Review) – In this appeal of Fayette County’s denial of Countryside Disposal’s application to site a pollution control facility, the Board granted Countryside Disposal’s motion for voluntary dismissal, dismissed the appeal, and closed the docket.	4-0 roll call vote
<u>PCB 23-61</u>	<u>People of the State of Illinois v. Aurora Redevelopment Company, LLC</u> (Air – Enforcement) – In this enforcement action concerning a Kane County gas station, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 IL 5/31(c)(1) (2020)), accepted the parties’ stipulation and proposed settlement, and ordered Aurora Redevelopment to pay a civil penalty of \$5,000 and to cease and desist from further violations.	4-0 roll call vote
<u>PCB 23-65</u>	<u>People of the State of Illinois v. Mohammed Abdallah</u> (Air – Enforcement) – Having received a stipulation, proposed settlement, and request for relief from the hearing requirement in this enforcement action concerning a Cook County gas station, the Board directed the Clerk to provide the required newspaper notice.	4-0 roll call vote

<u>PCB 23-78</u>	<u>North Shore Mosquito Abatement District v. Illinois Environmental Protection Agency (UST Appeal)</u> – The Board accepted a manager’s letter submitted on behalf of North Shore Mosquito Abatement District as a timely petition for review, but the Board directed the District to file by February 6, 2023, an amended petition remedying the deficiencies specified by the Board.	4-0 roll call vote
<u>PCB 23-80</u>	<u>People of the State of Illinois v. Village of Broadwell (Water, NPDES – 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 concerning a Logan County public water supply facility, the Board directed the Clerk to provide the required newspaper notice of the settlement-related filings.	4-0 roll call vote

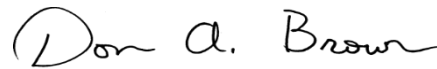
OTHER ITEMS

None.

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 January 19, 2023, by a vote of 4-0.



Don Anthony Brown, Clerk
Illinois Pollution Control Board