



IPC

Illinois Pollution Control Board

BOARD MEETING MINUTES

June 1, 2023

11:00 a.m.

Videoconference

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

AND

1021 N. Grand Ave. East
Springfield, IL
Conf. Room 1244 N, 1st Floor

ROLL CALL

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

ANNOUNCEMENTS

None.

PUBLIC REMARKS

None.

APPROVAL OF MINUTES

The minutes of the Board’s May 18, 2023 regular open meeting were approved by a roll call vote of 3-0.

RULEMAKINGS

<u>R21-10</u>	<u>SDWA Update, USEPA Amendments (July 1, 2020 through December 31, 2020)</u>	3-0 roll call vote
<u>R22-2</u> <u>Consol.</u>	SDWA Update, USEPA Amendments (January 1, 2021 through June 30, 2021) (Public Water Supply) – The Board adopted a proposal for public comment in this “identical-in-substance” rulemaking to amend the Board’s drinking water regulations.	

R23-9	<u>SDWA Update, USEPA Amendments (July 1, 2022 through December 31, 2022)</u> (Public Water Supply) – The Board adopted a proposal for public comment in this “identical-in-substance” rulemaking to amend the Board’s drinking water regulations.	3-0 roll call vote
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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

PCB 22-67	<u>People of the State of Illinois v. Swenson Spreader, LLC</u> (Air, FESOP – Enforcement) – In this enforcement action concerning an Ogle County facility 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 the parties’ stipulation and proposed settlement, and ordered Swenson to pay a civil penalty of \$65,000 and to cease and desist from further violations.	3-0 roll call vote
PCB 22-95	<u>People of the State of Illinois v. BankFinancial, N.A., f/k/a BankFinancial, F.S.B., not personally but solely as Trustee under that certain Trust Agreement dated November 30, 2004 and known as Trust No. 010797</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 ILCS 5/31(c)(1) (2020)), accepted the parties’ stipulation and proposed settlement, and ordered Bank Financial to pay a civil penalty of \$5,000 and to cease and desist from further violations.	3-0 roll call vote
PCB 23-17	<u>People of the State of Illinois v. Deen Ltd.</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 the parties’ stipulation and proposed settlement, and ordered Deen to pay a civil penalty of \$500 and to cease and desist from further violations.	3-0 roll call vote

<u>PCB 23-18</u>	<u>People of the State of Illinois v. Veer Petro 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 the parties’ stipulation and proposed settlement, and ordered Veer Petro to pay a civil penalty of \$5,000 and to cease and desist from further violations.	3-0 roll call vote
<u>PCB 23-54</u>	<u>Paul Christian Pratapas v. Pulte Home Company, LLC</u> (Water, NPDES – Enforcement, Citizen) – The Board granted Pulte’s motion to not accept the complaint for failure to serve. The Board directed the Clerk to correct Pulte’s name in the docket. Finally, the Board dismissed the complaint for failure to correct service errors.	3-0 roll call vote
<u>PCB 23-57</u>	<u>Paul Christian Pratapas v. Chelsea Manor by M/I Homes</u> (Water, NPDES – Enforcement, Citizen) – The Board denied M/I’s motion for sanctions and motion to dismiss with prejudice. The Board dismissed the complaint for failure to correct service errors.	3-0 roll call vote
<u>PCB 23-60</u>	<u>Paul Christian Pratapas v. Lexington Trace LLC</u> (Water – Enforcement, Citizen) – The Board granted Lexington’s motion for extension of time to file out of time and extension of time to file motion to dismiss. The Board also grants Lexington’s motion to not accept the complaint for failure to serve. The Board directs Mr. Pratapas to file by July 3, 2023, the required proof that he served his complaint on respondent or face dismissal of the complaint. Finally, Board directs the Clerk to correct the name of the respondent in the docket.	3-0 roll call vote
<u>PCB 23-62</u>	<u>Paul Christian Pratapas v. Charleston Building and Development and Ozinga Concrete Yard #281</u> (Water – Enforcement, Citizen) – The Board denied Charleston’s and Ozinga’s respective motions to not accept the complaint for failure to serve. The Board directed Pratapas to file by June 19, 2023, the required proof that he served his complaint on respondents or face dismissal of the complaint. Finally, the Board directed the Clerk to correct Ozinga’s name in the docket.	3-0 roll call vote
<u>PCB 23-64</u>	<u>Paul Christian Pratapas v. Cantera Development Holdings, LLC</u> (Water, NPDES – Enforcement, Citizen) – The Board granted Cantera’s motion to not accept the complaint for failure to serve. The Board directed Pratapas to file by June 19, 2023, the required proof that he served his complaint on respondents or face dismissal of the complaint. Finally, the Board directed the Clerk to correct Cantera’s name in the docket.	3-0 roll call vote

<u>PCB 23-67</u>	<u>Paul Christian Pratapas v. Lakewest Custom Homes, Rathbun Cservenyak & Kozol LLC, and @Properties</u> (Water, NPDES – Enforcement, Citizen) – The Board denied @Properties’ motion to not accept the complaint for failure to serve. The Board directed Pratapas to file by June 19, 2023, the required proof that he served his complaint on respondents or face dismissal of the complaint.	3-0 roll call vote
<u>PCB 23-71</u>	<u>Paul Christian Pratapas v. Village of Woodridge</u> (Water, NPDES – Enforcement, Citizen) – The Board found that the complaint is neither duplicative nor frivolous and accepts the complaint for hearing. The Board directs the Clerk to correct the name of the respondent in the docket.	3-0 roll call vote
<u>PCB 23-73</u>	<u>Paul Christian Pratapas v. Cadillac of Naperville and Joseph Nicolas Construction</u> (Water, NPDES – Enforcement, Citizen) – The Board grants Nicolas Construction’s motion to dismiss for frivolousness in part and directs Mr. Pratapas to amend his complaint for specificity no later than July 3, 2023. The Board grants Nicolas Construction’s motion to strike Mr. Pratapas’ relief requests, numbered 6 and 7 in the complaint.	3-0 roll call vote
<u>PCB 23-74</u>	<u>Paul Christian Pratapas v. Pulte Home Company, LLC</u> (Water, NPDES – Enforcement, Citizen) – The Board granted Pulte’s motion to not accept the complaint for failure to serve. The Board directed Pratapas to file by June 19, 2023, the required proof that he served his complaint on respondents or face dismissal of the complaint. Finally, the Board directed the Clerk to correct Pulte’s name in the docket.	3-0 roll call vote
<u>PCB 23-75</u>	<u>Paul Christian Pratapas v. Willow Run by M/I Homes</u> (Water, NPDES – Enforcement, Citizen) – The Board granted M/I’s Construction’s motion to dismiss for frivolousness in part and directs Mr. Pratapas to amend his complaint for specificity no later than July 3, 2023. The Board granted M/I’s motion to strike Mr. Pratapas’ requests to investigate into fraudulent SWPPP inspection reports and contractor certifications and to bar M/I from doing business in Illinois. The Board denied M/I’s motion to dismiss for other affirmative matter.	3-0 roll call vote
<u>PCB 23-76</u>	<u>Paul Christian Pratapas v. Wille Bro.’s Company and DuPage County Sheriff</u> (Water, NPDES – Enforcement, Citizen) – The Wille Bros.’s motion to dismiss for frivolousness and accepts the complaint as modified by this order for hearing. The Board strikes Mr. Pratapas’ requests to request resignation of the Sheriff, investigate sheriff officers, or investigate Wille Bros.’s contracts. The Clerk is directed to correct the name of the respondent in the docket.	3-0 roll call vote

<u>PCB 23-77</u>	<u>Paul Christian Pratapas v. DeJames Builders and City of Naperville: Mayor Steve Chirico</u> (Water, NPDES – Enforcement, Citizen) – The Board granted Mayor Chirico’s motion to not accept the complaint for failure to serve. The Board directed Pratapas to file by June 19, 2023, the required proof that he served his complaint on respondents or face dismissal of the complaint.	3-0 roll call vote
<u>PCB 23-82</u>	<u>Paul Christian Pratapas v. Midwest Construction Partners and City of Naperville: Mayor Steve Chirico</u> (Water, NPDES – Enforcement, Citizen) – The Board directed Pratapas to file by June 19, 2023, the required proof that he served his complaint on respondents or face dismissal of the complaint.	3-0 roll call vote
<u>PCB 23-83</u>	<u>Paul Christian Pratapas v. Steeple Run Elementary School and Ozynga Concrete Yard #281</u> (Water, NPDES – Enforcement, Citizen) – The Board denied Ozinga’s motion to dismiss complaint for failure to serve. The Board directs Mr. Pratapas to file the required proof of service of the complaint on the respondent no later than Monday, July 3, 2023. The Board grants Steeple Run’s motion for extension of time to answer the complaint. Finally, the Board directed the Clerk to correct Ozinga’s name in the docket.	3-0 roll call vote
<u>PCB 23-94</u>	<u>People of the State of Illinois v. Lorel Ave Food Mart & Fuel, 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 the parties’ stipulation and proposed settlement, and ordered Lorel to pay a civil penalty of \$5,000 and to cease and desist from further violations.	3-0 roll call vote
<u>PCB 23-96</u>	<u>CID Recycling & Disposal Facility v. Illinois Environmental Protection Agency</u> (Land, RCRA – Permit Appeal) – Because CID failed to file a petition during the extended appeal period, the Board dismissed the case and closed the docket.	3-0 roll call vote
<u>PCB 23-99</u>	<u>People of the State of Illinois v. Mohammed Abdallah</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 the parties’ stipulation and proposed settlement, and ordered Abdallah to pay a civil penalty of \$5,000 and to cease and desist from further violations.	3-0 roll call vote

<u>PCB 23-110</u>	People of the State of Illinois v CJ Masonry Brick LLC (Water – Enforcement) – In this enforcement action concerning diesel spill in a parking lot located in Lake 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 the parties’ stipulation and proposed settlement, and ordered CJ Masonry to pay a civil penalty of \$7,500 and to cease and desist from further violations.	3-0 roll call vote
<u>PCB 23-111</u>	People of the State of Illinois v CST Industries, Inc. (Air, FESOP – Enforcement) – In this enforcement action concerning a storage tank manufacturing facility located in DeKalb 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 the parties’ stipulation and proposed settlement, and ordered CST to pay a civil penalty of \$75,000 and to cease and desist from further violations.	3-0 roll call vote
<u>PCB 23-116</u>	CID Recycling & Disposal Facility v. Illinois Environmental Protection Agency (Land, RCRA – Permit Appeal) – The Board granted the parties’ request to extend the appeal period to August 22, 2023.	3-0 roll call vote
<u>PCB 23-117</u>	People of the State of Illinois v Qasem Ahmed, an individual, d/b/a Harvey Marathon (Air – Enforcement) – The Board accepted the People’s complaint for hearing concerning Harvey Marathon’s gas station in Cook County.	3-0 roll call vote
<u>PCB 23-118</u>	People of the State of Illinois v SJK1 Inc. (Air – Enforcement) – The Board accepted the People’s complaint for hearing concerning SJK1’s gas station in Will County.	3-0 roll call vote
<u>PCB 23-119</u>	People of the State of Illinois v B.O.L., Inc. (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 concerning a Cook County gasoline dispensing 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

OTHER ITEMS

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ADJOURNMENT

I, Don Anthony Brown, Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on June 15, 2023, by a vote of 3-0.

Don a. Brown

Don Anthony Brown, Clerk
Illinois Pollution Control Board