



# IPC B

Illinois Pollution Control Board

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## BOARD MEETING MINUTES

August 17, 2023

11:00 a.m.

### Videoconference

100 W. Randolph St.  
Chicago, IL  
Room 16-504

AND

1021 N. Grand Ave. East  
Springfield, IL  
Conf. Room 1244 N, 1<sup>st</sup> Floor

### **ROLL CALL**

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

### **ANNOUNCEMENTS**

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Chair Currie welcomed members of the public and staff.

### **PUBLIC REMARKS**

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None.

### **APPROVAL OF MINUTES**

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

### **RULEMAKINGS**

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<a href="#"><u>R21-13</u></a>	<u>RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (July 1, 2020 through December 31, 2020)</u>	3-0 roll call vote
<a href="#"><u>R22-13</u></a>	<u>RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (July 1, 2021 through December 31, 2021)</u>	
<a href="#"><u>R22-19</u></a> <a href="#"><u>Consol.</u></a>	<u>Corrections to RCRA Subtitle C and UIC Permit Rules (35 Ill. Adm. Code 702 through 705) (Land) – The Board adopted an order to extend the due date for final action until May 1, 2024.</u>	

<a href="#">R23-18(A)</a>	Amendments to 35 Ill. Adm. Code Parts 201, 202, and 212 (Air) – The Board accepted for hearing and combined into a single proposal five rulemaking proposals: one from the Illinois Environmental Regulatory Group (IERG); one from Rain CII Carbon LLC; one jointly from Dynegy Midwest Generation, LLC, Illinois Power Generating Company, Kincaid Generation, LLC, and Midwest Generation LLC; one from the American Petroleum Institute (API); and one from East Dubuque Nitrogen Fertilizers, LLC. The Board also granted IERG’s and API’s respective motions for waiver of a specified copy requirement. Finally, without commenting on the combined proposal’s substantive merits, the Board directed the Clerk to submit the combined proposal for first-notice publication in the <i>Illinois Register</i> .	3-0 roll call vote
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**ADJUSTED STANDARDS**

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**ADMINISTRATIVE CITATIONS**

<a href="#">AC 23-12</a>	<u>Illinois Environmental Protection Agency v. Robert C. Crowder Trust, Mary E. McClelland Trust, and Max McClelland (Land)</u> – In this administrative citation action involving a Schuyler County site, the Board accepted the parties’ stipulation and proposed settlement, found that respondents violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (2022)), and ordered them to pay the statutory civil penalty of \$1,500. The Board also dismissed the alleged violations of Section 21(p)(3) and (p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(3), (p)(7) (2022)) and granted the parties’ motion to dismiss respondents’ petition contesting the citation.	3-0 roll call vote
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**TIME-LIMITED WATER QUALITY STANDARDS**

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**ADJUDICATORY CASES**

<a href="#">PCB 23-40</a>	<u>People of the State of Illinois v. Hussein Saleh, an individual, d/b/a Amir Citgo</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) (2022)), accepted a stipulation and proposed settlement, and ordered Saleh to pay a \$5,000 civil penalty and to cease and desist from further violations.	3-0 roll call vote
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<a href="#"><u>PCB 23-108</u></a>	<u>People of the State of Illinois v. Department of Transportation of the State of Illinois</u> (Noise – Enforcement) – The Board granted IDOT’s motion for leave to file a reply and accepted the reply but denied IDOT’s partial motion to dismiss. The Board also accepted the People’s amended complaint for hearing.	3-0 roll call vote
<a href="#"><u>PCB 23-128</u></a>	<u>People of the State of Illinois v. Swan Surfaces, LLC</u> (Air, CAAPP – Enforcement) – In this enforcement action concerning Swan’s solid surfaces manufacturing facility in Marion 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) (2022)), accepted the parties’ stipulation and proposed settlement, and ordered Swan to pay a civil penalty of \$75,000 and to cease and desist from further violations.	3-0 roll call vote
<a href="#"><u>PCB 23-130</u></a>	<u>People of the State of Illinois v. Leisure Properties, LLC d/b/a Crownline Boats</u> (Air, CAAPP – Enforcement) – In this enforcement action concerning Crownline’s boat manufacturing facility in Franklin 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) (2022)), accepted the parties’ stipulation and proposed settlement, and ordered Crownline to pay a civil penalty of \$14,000 and to cease and desist from further violations.	3-0 roll call vote
<a href="#"><u>PCB 23-131</u></a>	<u>T5@Chicago II, LP v. Illinois Environmental Protection Agency</u> (Air – Variance) – Because T5 failed to file an amended petition for variance, the Board dismissed the case and closed the docket.	3-0 roll call vote
<a href="#"><u>PCB 23-135</u></a>	<u>INEOS Joliet, LLC v. Illinois Environmental Protection Agency</u> (Thermal Demonstration) – The Board accepted this petition for an alternative thermal effluent limit without determining the sufficiency of the petition’s contents or whether the Board would hold a hearing on the petition. The Board also granted IEPA’s motion for more time to file a recommendation on the petition.	3-0 roll call vote
<a href="#"><u>PCB 24-3</u></a>	<u>People of the State of Illinois v. Upendra Sinha, an individual, d/b/a Citgo</u> (Air – Enforcement) – In this enforcement action concerning Sinha’s storage tank manufacturing facility in Kane 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) (2022)), accepted the parties’ stipulation and proposed settlement, and ordered Sinha to pay a civil penalty of \$5,000 and to cease and desist from further violations.	3-0 roll call vote
<a href="#"><u>PCB 24-10</u></a>	<u>People of the State of Illinois v. Redline Metals, Inc.</u> (Water, NPDES – Enforcement) – The Board accepted the People’s complaint for hearing concerning Redline’s metal scrapyards in Kane County.	3-0 roll call vote

<a href="#"><u>PCB 24-11</u></a>	<u>Steffes Farm v. Illinois Environmental Protection Agency (Water – Tax Certification)</u> – The Board found and certified that Steffes Farm’s livestock waste handling facility in JoDaviess County is a pollution control facility for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2022)).	3-0 roll call vote
<a href="#"><u>PCB 24-12</u></a>	<u>People of the State of Illinois v. Deer View, LLC and Professional Swine Management, LLC (Water, NPDES – Enforcement)</u> – 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 farrow-to-wean swine operation in Hancock 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

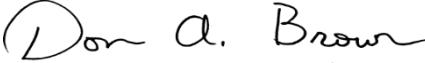
**OTHER ITEMS**

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**ADJOURNMENT**

Moved and seconded, by a roll call vote of 3-0, 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 September 7, 2023, by a vote of 4-0.



Don Anthony Brown, Clerk  
Illinois Pollution Control Board