



IPC B

Illinois Pollution Control Board

BOARD MEETING MINUTES

NOVEMBER 16, 2023

11:00 a.m.

Videoconference

160 N. LaSalle St.
Chicago, IL
Room N-502

AND

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

ROLL CALL

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

ANNOUNCEMENTS

None.

PUBLIC REMARKS

None.

APPROVAL OF MINUTES

The minutes of the Board’s November 2, 2023 regular open meeting were approved by a roll call vote of 3-0.

RULEMAKINGS

<u>R23-18(A)</u>	Amendments to 35 Ill. Adm. Code Parts 201, 202, and 212 (Air) – The Board granted the motion of the Attorney General’s Office to hold a third hearing. The Board also directed the hearing officer to expeditiously schedule a third hearing after the proponents submit the information requested by the Illinois Environmental Protection Agency.	3-0 roll call vote
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ADJUSTED STANDARDS

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ADMINISTRATIVE CITATIONS

<u>AC 24-1</u>	<p><u>Illinois Environmental Protection Agency v. Leslie Mandrell and Thomas Fann d/b/a Fann Tree Service (Land)</u> – The Board granted respondents’ motion to reconsider and reconsidered its default order of October 5, 2023. On reconsideration, the Board found that respondents timely filed a petition for review. The Board directed respondents to file an amended petition addressing specified deficiencies by December 18, 2023.</p>	<p>3-0 roll call vote</p>
<u>AC 24-3</u>	<p><u>County of LaSalle v. Daniel Partridge, Shirley Partridge, and Four-Star Campground (Land)</u> – The Board granted the County of LaSalle’s motion for voluntary dismissal of this administrative citation concerning a site in Marseilles.</p>	<p>3-0 roll call vote</p>

TIME-LIMITED WATER QUALITY STANDARDS

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ADJUDICATORY CASES

<u>PCB 20-15</u>	<p><u>Jeet Singh d/b/a Aman Food & Gas v. Illinois Environmental Protection Agency (UST Appeal)</u> – The Board granted Singh’s motion for voluntary dismissal of this appeal concerning an underground storage tank site in Rock Island County.</p>	<p>3-0 roll call vote</p>
<u>PCB 22-27</u>	<p><u>J.D. Streett & Company, Inc. v. Illinois Environmental Protection Agency (UST Appeal)</u> – The Board granted in part and denied in part the parties’ respective cross motions for summary judgment. First, the Board granted J.D. Streett’s motion concerning IEPA’s denial of Underground Storage Tank (UST) Fund reimbursement for \$3,340.34 in costs to backfill the tank field. The Board therefore denied IEPA’s motion on that issue and reversed that part of IEPA’s denial. Second, the Board granted IEPA’s motion regarding its denial of UST Fund reimbursement for \$8,450.94 in costs to remove the tanks. Therefore, the Board denied J.D. Streett’s motion on that issue and affirmed that part of IEPA’s denial. Finally, the Board directed J.D. Streett to file a statement of legal fees eligible for UST Fund reimbursement, to which IEPA may respond.</p>	<p>3-0 roll call vote</p>
<u>PCB 22-77</u>	<p><u>People of the State of Illinois v. Lala Kala, Inc. (Air – Enforcement)</u> – In this enforcement action concerning a DuPage 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 Lala Kala to pay a \$5,000 civil penalty and to cease and desist from further violations.</p>	<p>3-0 roll call vote</p>

<u>PCB 23-41</u>	<u>People of the State of Illinois v. 502 Garfield Properties, LLC d/b/a Four Seasons Citgo, Hussein Saleh, Ali Musa, and Naswer M. Ali</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 respondents to pay a \$5,000 civil penalty and to cease and desist from further violations.	3-0 roll call vote
<u>PCB 23-90</u>	<u>Jeet Singh d/b/a Aman Food & Gas v. Illinois Environmental Protection Agency (UST Appeal)</u> – In this underground storage tank (UST) appeal involving a Rock Island County gas station, the Board granted Singh’s motion to modify the Board’s interim order. The Board therefore ordered IEPA to approve Singh’s budget of \$30,706.90 for the six-inch replacement concrete engineered barrier. The Board also granted Singh’s request to authorize the payment of legal fees. Accordingly, the Board directed IEPA to reimburse Singh \$19,759.77 in legal fees from the UST Fund.	3-0 roll call vote
<u>PCB 24-30</u>	<u>People of the State of Illinois v. Autotrol Corporation</u> (Air – Enforcement) – The Board accepted the People’s complaint for hearing concerning Autotrol’s manufacturing facility in McHenry County.	3-0 roll call vote
<u>PCB 24-31</u>	<u>Newman Farms – Lynn Center v. Illinois Environmental Protection Agency</u> (Water – Tax Certification) – The Board found and certified that Newman Farms’ livestock waste management facilities in Henry County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2022)).	3-0 roll call vote
<u>PCB 24-32</u>	<u>1441 Kingshighway LLC v. Illinois Environmental Protection Agency</u> (UST Appeal) – The Board accepted for hearing this underground storage tank appeal involving a St. Clair County site.	3-0 roll call vote
<u>PCB 24-33</u>	<u>People of the State of Illinois v. City of LaSalle</u> (Water, NPDES – 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 the City of LaSalle’s wastewater treatment plant, 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

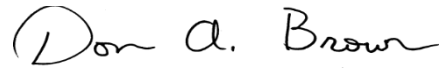
OTHER ITEMS

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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 December 16, 2023, by a vote of 3-0.

A handwritten signature in cursive script that reads "Don A. Brown". The signature is written in black ink and is positioned above a horizontal line.

Don Anthony Brown, Clerk
Illinois Pollution Control Board