



IPCB

Illinois Pollution Control Board

BOARD MEETING MINUTES

FEBRUARY 1, 2024

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 four Board Members answered present.

ANNOUNCEMENTS

None.

PUBLIC REMARKS

None.

APPROVAL OF MINUTES

The minutes of the Board’s January 18, 2024 regular open meeting and January 29, 2024 closed deliberative session were approved by a roll call vote of 4-0.

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

<p><u>PCB 23-103</u></p>	<p><u>People of the State of Illinois v. Aurora Metals Division, LLC</u> (Air – Enforcement) – In this enforcement action concerning Aurora Metals’ nonferrous metal foundry and machine shop 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 a stipulation and proposed settlement, and ordered Aurora Metals to pay a \$7,500 civil penalty and to cease and desist from further violations.</p>	<p>4-0 roll call vote</p>
<p><u>PCB 23-107</u></p> <p><u>PCB 23-109 (consol.)</u></p>	<p><u>Protect West Chicago v. City of West Chicago, West Chicago City Council, and Lakeshore Recycling Systems, LLC</u> (Land – Third-Party Pollution Control Facility Siting Appeal)</p> <p><u>People Opposing DuPage Environmental Racism v. City of West Chicago and Lakeshore Recycling Systems</u> (Land – Third-Party Pollution Control Facility Siting Appeal) – The Board vacated the City of West Chicago City Council’s February 28, 2023 decision granting Lakeshore Recycling Systems’ application for pollution control facility siting. Because notice of the siting application was improper, the Board vacated the City Council’s decision for lack of jurisdiction.</p>	<p>4-0 roll call vote</p>
<p><u>PCB 23-121</u></p>	<p><u>People of the State of Illinois v. Chicago Magnesium Casting Company</u> (Air – Enforcement) – In this enforcement action concerning Chicago Magnesium Casting’s magnesium and aluminum foundry in Cook County, the Board issued an order <i>nunc pro tunc</i> to correct its January 4, 2024 order, which addressed publishing notice of the parties’ stipulation, proposed settlement, and request for relief from the hearing requirement.</p>	<p>4-0 roll call vote</p>
<p><u>PCB 24-20</u></p>	<p><u>RDK Ventures, LLC v. Illinois Environmental Protection Agency</u> (UST Appeal) – Because RDK Ventures failed to file a petition during the extended appeal period, the Board dismissed the case and closed the docket.</p>	<p>4-0 roll call vote</p>
<p><u>PCB 24-24</u></p>	<p><u>Dobb’s Tire and Auto Center, Inc. v. Illinois Environmental Protection Agency</u> (UST Appeal) – Because Dobb’s Tire and Auto Center failed to file a petition during the extended appeal period, the Board dismissed the case and closed the docket.</p>	<p>4-0 roll call vote</p>

<u>PCB 24-40</u>	<u>People of the State of Illinois v. Ensono, LLC (Air – Enforcement)</u> – In this enforcement action concerning Ensono’s emergency generators in DuPage 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 a stipulation and proposed settlement, and ordered Ensono to pay a \$20,000 civil penalty and to cease and desist from further violations.	4-0 roll call vote
<u>PCB 24-45</u>	<u>Electric Energy, Inc. v. Illinois Environmental Protection Agency (Land, CCR – Appeal)</u> – The Board granted Electric Energy’s unopposed motion to stay the requirements of 35 Ill. Adm. Code 845.650(d), 845.660, 845.670, and 845.680 as they apply to exceedances of the cobalt and pH groundwater protection standards at the Joppa Power Plant’s Joppa East Ash Pond, a coal combustion residual (CCR) surface impoundment in Massac County.	4-0 roll call vote
<u>PCB 24-48</u>	<u>Illinois Power Resources Generating, LLC v. Illinois Environmental Protection Agency (Land, CCR – Appeal)</u> – The Board accepted for hearing this appeal involving a coal combustion residual (CCR) surface impoundment (Gypsum Management Facility Pond) at IPRG’s Duck Creek Power Plant in Fulton County. The Board also reserved ruling on IPRG’s motion for partial stay.	4-0 roll call vote
<u>PCB 24-49</u>	<u>BK Wilmette Lodge, LLC v. Illinois Environmental Protection Agency UST Appeal)</u> – The Board granted the parties’ request to extend the appeal period to May 10, 2024.	4-0 roll call vote

OTHER ITEMS

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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 February 15, 2024, by a vote of 4-0.



Don Anthony Brown, Clerk
Illinois Pollution Control Board