



# IPC

Illinois Pollution Control Board

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## **BOARD MEETING MINUTES**

**March 7, 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, 1<sup>st</sup> Floor

### **ROLL CALL**

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

### **ANNOUNCEMENTS**

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None.

### **PUBLIC REMARKS**

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None.

### **APPROVAL OF MINUTES**

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The minutes of the Board's February 15, 2024 regular open meeting were approved by a roll call vote of 4-0.

## RULEMAKINGS

<a href="#"><u>R21-13</u></a>	<u>RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (July 1, 2020 through December 31, 2020)</u>	4-0 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>	<u>Corrections to RCRA Subtitle C and UIC Permit Rules (35 Ill. Adm. Code 702 through 705)</u>	
<a href="#"><u>R24-4</u></a> <a href="#"><u>Consol.</u></a>	<u>RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (January 1, 2023 through June 30, 2023)</u> (Land) – In this “identical-in-substance” rulemaking to amend the Board’s hazardous waste regulations, the Board dismissed docket R22-19, provided reasons for delay, extended the deadline for final adoption to July 1, 2024, and adopted a proposal for public comment.	
<a href="#"><u>R22-18</u></a>	<u>Proposed Amendments to Groundwater Quality (35 Ill. Adm. Code 620) (Public Water Supply)</u> – The Board adopted a first-notice proposal in this rulemaking to amend the Board’s groundwater quality standards.	4-0 roll call vote
<a href="#"><u>R24-10</u></a>	<u>UIC Update, USEPA Amendments (July 1, 2023 through December 31, 2023)</u> (Land) – The Board dismissed this reserved “identical-in-substance” docket because the United States Environmental Protection Agency did not amend its corresponding underground injection control (UIC) regulations during the update period of July 1, 2023 through December 31, 2023.	4-0 roll call vote
<a href="#"><u>R24-14</u></a>	<u>Wastewater Pretreatment Update, USEPA Amendments (July 1, 2023 through December 31, 2023)</u> (Water) – The Board adopted a proposal for public comment in this “identical-in-substance” rulemaking to amend the Board’s wastewater pretreatment regulations.	4-0 roll call vote
<a href="#"><u>R24-15</u></a>	<u>National Ambient Air Quality Standards (NAAQS), USEPA Amendments (July 1, 2023 through December 31, 2023)</u> (Air) – The Board adopted a proposal for public comment in this “identical-in-substance” rulemaking to amend the Board’s air quality regulations.	4-0 roll call vote

## ADJUSTED STANDARDS

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## ADMINISTRATIVE CITATIONS

<a href="#"><u>AC 24-4</u></a>	<p><u>County of LaSalle v. Joseph &amp; Stephanie Stevens</u> (Land) – After neither Joseph Stevens nor Stephanie Stevens timely filed a petition to contest this administrative citation, the Board found that they had violated Section 21(p)(1) and (p)(3) of the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(3) (2022)) as alleged. Because there were two violations of Section 21(p), the Board ordered the Stevens to pay a total civil penalty of \$3,000, 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

<a href="#"><u>PCB 20-47</u></a>	<p><u>IMTT Illinois, LLC v. Illinois Environmental Protection Agency</u> (Water, NPDES – Permit Appeal) – The Board granted IMTT’s motion for voluntary dismissal, dismissed the appeal, and closed the docket.</p>	<p>4-0 roll call vote</p>
<a href="#"><u>PCB 23-91</u></a>	<p><u>People of the State of Illinois v. Rochelle Energy LLC</u> (Air, CAAPP – Enforcement) – In this enforcement action concerning Rochelle Energy’s landfill gas-to-energy facility in Ogle 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 Rochelle Energy to pay a \$35,000 civil penalty and to cease and desist from further violations.</p>	<p>4-0 roll call vote</p>
<a href="#"><u>PCB 24-37</u></a>	<p><u>People of the State of Illinois v. Enterprise ANS LLC</u> (Air – Enforcement) – Upon receiving a stipulation, proposed settlement, and motion for relief from the hearing requirement in this enforcement action concerning Enterprise’s Cook County gas station, the Board directed the Clerk to provide the required newspaper notice.</p>	<p>4-0 roll call vote</p>
<a href="#"><u>PCB 24-46</u></a>	<p><u>Conserv FS, Inc. – Caledonia v. Illinois Environmental Protection Agency</u> (Water – Tax Certification) – The Board found and certified that Conserv’s agrichemical containment structures are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2022)).</p>	<p>4-0 roll call vote</p>

<a href="#"><u>PCB 24-47</u></a>	<u>People of the State of Illinois v. Advantage Automation Midwest, Inc.</u> (Air – Enforcement) – Upon receiving a stipulation, proposed settlement, and motion for relief from the hearing requirement in this enforcement action concerning Advantage’s equipment manufacturing plant in Macon County, the Board directed the Clerk to provide the required newspaper notice.	4-0 roll call vote
<a href="#"><u>PCB 24-55</u></a>	<u>Illinois Power Generating Company v. Illinois Environmental Protection Agency</u> (Land, CCR – Appeal) – The Board accepted for hearing this appeal involving a coal combustion residual (CCR) surface impoundment (Ash Pond No. 2) at IPGC’s Coffeen Power Plant in Montgomery County. IEPA issued a non-concurrence in response to IPGC’s alternative source demonstration (ASD) for cobalt. The Board reserved ruling on IPGC’s motion for a partial stay.	4-0 roll call vote
<a href="#"><u>PCB 24-56</u></a>	<u>Illinois Power Generating Company v. Illinois Environmental Protection Agency</u> (Land, CCR – Appeal) – The Board accepted for hearing this appeal involving a coal combustion residual (CCR) surface impoundment (Ash Pond No. 2) at IPGC’s Coffeen Power Plant in Montgomery County. IEPA issued a non-concurrence in response to IPGC’s alternative source demonstration (ASD) for sulfate and total dissolved solids (TDS). The Board reserved ruling on IPGC’s motion for a partial stay.	4-0 roll call vote
<a href="#"><u>PCB 24-57</u></a>	<u>People of the State of Illinois v. Chachy, Inc. and Leah Mol, Inc.</u> (Air – Enforcement) – The Board accepted for hearing the People’s complaint concerning this Cook County gas station.	4-0 roll call vote
<a href="#"><u>PCB 24-58</u></a>	<u>People of the State of Illinois v. Prestone Products Corporation</u> (Air – Enforcement) – The Board accepted for hearing the People’s complaint concerning this Cook County wiper-fluid formulation facility.	4-0 roll call vote
<a href="#"><u>PCB 24-59</u></a>	<u>People of the State of Illinois v. Stony Island Real Estate, Inc. and PAV2, LLC</u> (Air – Enforcement) – The Board accepted for hearing the People’s complaint concerning this Cook County gas station.	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 March 21, 2024, by a vote of 4-0.

Don a. Brown

Don Anthony Brown, Clerk  
Illinois Pollution Control Board