



IPC B

Illinois Pollution Control Board

BOARD MEETING MINUTES

February 16, 2023

11:00 a.m.

Videoconference

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

1021 N. Grand Avenue East
Springfield, IL
Conference Rm 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 February 2, 2023 regular open meeting were approved by a roll-call vote of 4-0.

RULEMAKINGS

<u>R18-25</u>	Amendments to 35 Ill. Adm. Code Subtitle E: Agriculture Related <u>Water Pollution</u> (Water) – The Board adopted a first-notice opinion and order in this rulemaking to non-substantively amend the Board’s agriculture-related water pollution regulations.	4-0 roll call vote
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<u>R23-10</u>	<u>UIC Update, USEPA Regulations (July 1, 2022 through December 31, 2022)</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, 2022 through December 31, 2022.	4-0 roll call vote
<u>R23-11</u>	<u>RCRA Subtitle D (Municipal Solid Waste Landfill) Update, USEPA Regulations (July 1, 2022 through December 31, 2022)</u> (Land) – The Board dismissed this reserved “identical-in-substance” docket because the United States Environmental Protection Agency did not amend its corresponding municipal solid waste landfill (MSWLF) regulations during the update period of July 1, 2022 through December 31, 2022.	4-0 roll call vote
<u>R23-12</u>	<u>RCRA Subtitle C (Hazardous Waste) Update, USEPA Regulations (July 1, 2022 through December 31, 2022)</u> (Land) – The Board dismissed this reserved “identical-in-substance” docket because the United States Environmental Protection Agency did not amend its corresponding hazardous waste regulations during the update period of July 1, 2022 through December 31, 2022.	4-0 roll call vote
<u>R23-13</u>	<u>UST Update, USEPA Regulations (July 1, 2022 through December 31, 2022)</u> (Land) – The Board dismissed this reserved “identical-in-substance” docket because the United States Environmental Protection Agency did not amend its corresponding underground storage tank (UST) regulations during the update period of July 1, 2022 through December 31, 2022.	4-0 roll call vote
<u>R23-14</u>	<u>Wastewater Pretreatment Update, USEPA Regulations (July 1, 2022 through December 31, 2022)</u> (Water) – The Board dismissed this reserved “identical-in-substance” docket because the United States Environmental Protection Agency did not amend its corresponding wastewater pretreatment regulations during the update period of July 1, 2022 through December 31, 2022.	4-0 roll call vote
<u>R23-16</u>	<u>Definition of VOM Update, USEPA Regulations (July 1, 2022 through December 31, 2022)</u> (Air) – The Board dismissed this reserved “identical-in-substance” docket because the United States Environmental Protection Agency did not amend its corresponding air pollution control regulations during the update period of July 1, 2022 through December 31, 2022.	4-0 roll call vote

ADMINISTRATIVE CITATIONS

<u>AC 18-11</u>	<u>IEPA v. Michael Crank, individually and d/b/a Crank Tree Service (Land)</u> – In this administrative citation action involving a Saline County site, the Board accepted the parties’ stipulation and proposed settlement, found that Michael Crank violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (2020)), and ordered Crank 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) (2020)) and granted the parties’ motion to dismiss Crank’s petition contesting the citation.	4-0 roll call vote
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TIME-LIMITED WATER QUALITY STANDARDS

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ADJUDICATORY CASES

<u>PCB 22-42</u>	<u>People of the State of Illinois v. Az Spe, LLC (Air – Enforcement)</u> – Upon receiving a stipulation, proposed settlement, and request for relief from the hearing requirement in this enforcement action concerning a McHenry County gas station, the Board directed the Clerk to provide the required newspaper notice.	4-0 roll call vote
<u>PCB 22-71</u>	<u>People of the State of Illinois v. Laila Enterprises, Inc. (Air – Enforcement)</u> – Upon receiving a stipulation, proposed settlement, and request for relief from the hearing requirement in this enforcement action concerning a Cook County gas station, the Board directed the Clerk to provide the required newspaper notice.	4-0 roll call vote
<u>PCB 22-81</u>	<u>People of the State of Illinois v. Az Spe, LLC (Air – Enforcement)</u> – Upon receiving a stipulation, proposed settlement, and request for relief from the hearing requirement in this enforcement action concerning two Cook County gas stations, the Board directed the Clerk to provide the required newspaper notice.	4-0 roll call vote
<u>PCB 22-93</u>	<u>People of the State of Illinois v. Chicago Property on 103rd, LLC (Air – Enforcement)</u> – Upon receiving a stipulation, proposed settlement, and request for relief from the hearing requirement in this enforcement action concerning a Cook County gas station, the Board directed the Clerk to provide the required newspaper notice.	4-0 roll call vote

<u>PCB 23-43</u>	<u>People of the State of Illinois v. Bhaganwali Inc. (Air – Enforcement)</u> – In this enforcement action concerning a Will 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 Bhaganwali to pay a civil penalty of \$5,000 and to cease and desist from further violations.	4-0 roll call vote
<u>PCB 23-55</u>	<u>Paul Christian Pratapas v. Naper Commons by Pulte Homes (Water – Enforcement, Citizen)</u> – The Board directed the Clerk to correct the respondent’s name in the docket to read “Pulte Home Company, LLC.” The Board granted Pulte’s motion to not accept the complaint for failure to serve. The Board directed Paul Christian Pratapas to file by March 20, 2023, the required proof that he served the complaint on Pulte. The Board denied Pulte’s motion to dismiss the complaint as frivolous.	4-0 roll call vote
<u>PCB 23-78</u>	<u>North Shore Mosquito Abatement District v. Illinois Environmental Protection Agency (UST Appeal)</u> – Because North Shore Mosquito Abatement District failed to timely file an amended petition as directed by the Board’s January 5, 2023 order, the Board dismissed the case and closed the docket.	4-0 roll call vote
<u>PCB 23-80</u>	<u>People of the State of Illinois v. Village of Broadwell (Water, NPDES – Enforcement)</u> – In this enforcement action concerning the Village of Broadwell’s public water supply facility in Logan 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 the Village to pay a civil penalty of \$1,500 and to cease and desist from further violations.	4-0 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> – The Board accepted for hearing this appeal involving Jeet Singh’s leaking underground storage tank site in Rock Island County.	4-0 roll call vote
<u>PCB 23-91</u>	<u>People of the State of Illinois v. Rochelle Energy LLC (Air, CAAPP – Enforcement)</u> – The Board accepted the People’s complaint for hearing concerning Rochelle Energy’s landfill gas-to-energy facility in Ogle County.	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 2, 2023, by a vote of 4-0.



Don Anthony Brown, Clerk
Illinois Pollution Control Board