



IPC B

Illinois Pollution Control Board

BOARD MEETING MINUTES

September 21, 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, 1st Floor

ROLL CALL

The Clerk of the Board called the roll. The Chair and Members Van Wie and Gibson, who were physically present in Room 16-504, answered present. The Chair then made a motion under Section 7(a)(ii) of the Open Meetings Act (5 ILCS 120/7(a)(ii) (2022)) for Member Mankowski to attend the meeting telephonically as he was prevented from physically attending because of Board business. The Chair’s motion was approved by a roll call vote of 3-0, after which Member Mankowski answered present.

ANNOUNCEMENTS

Chair Currie welcomed members of the public and staff.

PUBLIC REMARKS

None.

APPROVAL OF MINUTES

The respective minutes of the Board’s September 7, 2023 regular open meeting and September 14, 2023 Closed Deliberative Session were approved by a roll call vote of 4-0.

RULEMAKINGS

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ADJUSTED STANDARDS

<u>AS 24-4</u>	<u>Petition of Dynegy for an Adjusted Standard from 35 Ill. Adm. Code Parts 201 and 212 (Air)</u> – The Board accepted the amended petition for adjusted standard filed by Dynegy Midwest Generation, LLC, Illinois Power Generating Company, and Kincaid Generation, LLC. The Board also granted IEPA’s motion to stay the proceedings for 90 days, <i>i.e.</i> , until December 21, 2023.	4-0 roll call vote
<u>AS 24-6</u>	<u>Petition of Midwest Generation, LLC for an Adjusted Standard from 35 Ill. Adm. Code Parts 201 and 212 (Air)</u> – The Board accepted Midwest Generation, LLC’s petition for adjusted standard. The Board also granted IEPA’s motion to stay the proceedings for 90 days, <i>i.e.</i> , until December 21, 2023.	4-0 roll call vote

ADMINISTRATIVE CITATIONS

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TIME-LIMITED WATER QUALITY STANDARDS

<u>PCB 16-19</u> <u>PCB 16-24</u> <u>Consol.</u>	<u>Midwest Generation, LLC v. Illinois Environmental Protection Agency</u> <u>INEOS Joliet, LLC v. Illinois Environmental Protection Agency</u> (Time-Limited WQS) – The Board granted Midwest Generation’s motion for voluntary dismissal and closed the docket.	4-0 roll call vote
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ADJUDICATORY CASES

<u>PCB 22-34</u>	<u>People of the State of Illinois v. City of Hoopston</u> (Water, NPDES – Enforcement) – The Board accepted the People’s complaint concerning the City’s publicly-owned treatment works in Vermilion County. Because the parties filed a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement, the Board directed the Clerk to provide the required newspaper notice and dismissed as moot the City’s motion to dismiss the complaint.	4-0 roll call vote
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<u>PCB 23-90</u>	<u>Jeet Singh d/b/a Aman Food & Gas v. Illinois Environmental Protection Agency (UST Appeal)</u> – In an interim opinion and order, the Board reversed IEPA’s December 28, 2022 determination rejecting Singh’s August 29, 2022 budget amendment. The Board therefore ordered IEPA to approve Singh’s budget of \$21,350 for the six-inch replacement concrete engineered barrier. The Board also direct Singh to file a statement of legal fees that may be eligible for reimbursement, as well as arguments why the Board should exercise its discretion to order reimbursement of legal fees from the UST Fund.	4-0 roll call vote
<u>PCB 23-102</u>	<u>People of the State of Illinois v. Warsi Management, LLC (Air – Enforcement)</u> – The Board granted the People’s motion for voluntary dismissal without prejudice and closed the docket.	4-0 roll call vote
<u>PCB 24-12</u>	<u>People of the State of Illinois v. Deer View, LLC and Professional Swine Management, LLC (Water, NPDES – Enforcement)</u> – No action taken.	Held

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 October 5, 2023, by a vote of 4-0.



Don Anthony Brown, Clerk
Illinois Pollution Control Board