



IPC

Illinois Pollution Control Board

BOARD MEETING MINUTES

NOVEMBER 2, 2023

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 October 19, 2023 regular open meeting were approved by a roll call vote of 4-0.

RULEMAKINGS

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ADJUSTED STANDARDS

<u>AS 21-7</u>	<u>Petition of Ameren Energy Medina Valley Cogen, LLC (Hutsonville D) for Adjusted Standards from 35 Ill. Adm. Code Part 845 (Land) – Held</u>	No vote
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ADMINISTRATIVE CITATIONS

<u>AC 24-2</u>	<p><u>Illinois Environmental Protection Agency v. H & S Recycling LLC (Land)</u> – After H & S Recycling LLC (H & S) failed to timely file a petition to contest the administrative citation, the Board found that it violated Section 21(p)(1), (p)(3), and (p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(3), (p)(7) (2022)), as alleged. Because there were three violations of Section 21(p), the Board ordered H & S to pay a total civil penalty of \$4,500, 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

<u>PCB 13-15</u>	<p><u>Sierra Club, Environmental Law and Policy Center, Prairie Rivers Network, and Citizens Against Ruining the Environment v. Midwest Generation, LLC (Land – Enforcement, Citizen)</u> – The Board granted in part Midwest Generation, LLC’s motion for extension of time to file post-hearing briefs. Accordingly, the parties’ respective opening briefs are due January 18, 2024, and the parties’ respective response briefs are due March 4, 2024.</p>	<p>4-0 roll call vote</p>
<u>PCB 22-34</u>	<p><u>People of the State of Illinois v. City of Hoopeston (Water, NPDES – Enforcement)</u> – In this enforcement action concerning a treatment works in Vermilion 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 the parties’ stipulation and proposed settlement, and ordered the City of Hoopeston to pay a \$500 civil penalty and to cease and desist from further violations.</p>	<p>4-0 roll call vote</p>
<u>PCB 22-70</u>	<p><u>People of the State of Illinois v. KJS Properties LLC (Air – Enforcement)</u> – 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 KJS Properties LLC to pay a \$5,000 civil penalty and to cease and desist from further violations.</p>	<p>4-0 roll call vote</p>

<u>PCB 23-5</u>	<u>People of the State of Illinois v. Khalid Siddiqui</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 Khalid Siddiqui to pay a \$5,000 civil penalty and to cease and desist from further violations.	4-0 roll call vote
<u>PCB 23-28</u>	<u>People of the State of Illinois v. Shabeena Afridi, individually and d/b/a One Stop Gas Station, and Arathi Property, Inc.</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.	4-0 roll call vote
<u>PCB 23-101</u>	<u>People of the State of Illinois v. Rick E. Heidner, James Edward Sayre, David R. Heidner, and Parkway Bank and Trust Company, as Trustee under Trust Agreement dated May 28, 2022, and known as Trust No. 13296, an Illinois Land Trust</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.	4-0 roll call vote
<u>PCB 23-106</u>	<u>People of the State of Illinois v Hill Top Group, Inc.</u> (Air – Enforcement) – Upon receiving a stipulation, a proposed settlement, and an agreed motion 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 24-9</u>	<u>Paul Christian Pratapas v. Pulte Home Company, LLC</u> (Water, NPDES – Enforcement, Citizen) – The Board granted Paul Christian Pratapas’ motion to amend his complaint and directed him to file an amended complaint by December 4, 2023. The Board also deferred ruling on Pulte Home Company, LLC’s motion to dismiss the complaint until after December 4, 2023.	4-0 roll call vote

<u>PCB 24-10</u>	<u>People of the State of Illinois v. Redline Metals, Inc.</u> (Water, NPDES – Enforcement) – In this enforcement action concerning a Kane County metal scrapyards, 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 Redline Metals, Inc. to pay a \$15,000 civil penalty and to cease and desist from further violations.	4-0 roll call vote
<u>PCB 24-21</u>	<u>People of the State of Illinois v. AEP NVH OPCO, LLC d/b/a Applied Acoustics International</u> (Air – Enforcement) – In this enforcement action concerning a Cook County sound dampening pad production facility, 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 Applied Acoustics International to pay a \$10,000 civil penalty and to cease and desist from further violations.	4-0 roll call vote
<u>PCB 24-25</u>	<u>People of the State of Illinois v. Khalid Siddiqui and 55th Food Mart Inc.</u> (Air – Enforcement) – The Board accepted for hearing the People’s complaint concerning Khalid Siddiqui and 55th Food Mart, Inc.’s Cook County gas station.	4-0 roll call vote
<u>PCB 24-26</u>	<u>BP Products North America, Inc. v. Illinois Environmental Protection Agency</u> (Land, RCRA – Permit Appeal) – The Board granted the parties’ request to extend the appeal period to February 5, 2024.	4-0 roll call vote
<u>PCB 24-27</u>	<u>CIMA Developers LP v. Illinois Environmental Protection Agency</u> (UST Appeal) – The Board granted the parties’ request to extend the appeal period to February 5, 2024.	4-0 roll call vote
<u>PCB 24-28</u>	<u>CIMA Developers LP v. Illinois Environmental Protection Agency</u> (UST Appeal) – The Board granted the parties’ request to extend the appeal period to February 5, 2024.	4-0 roll call vote
<u>PCB 24-29</u>	<u>BFI Waste Systems of North America, LLC v. Illinois Environmental Protection Agency</u> (Land, RCRA – Permit Appeal) – The Board granted the parties’ request to extend the appeal period to January 30, 2024.	4-0 roll call vote

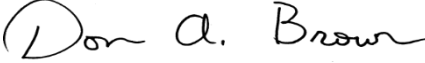
OTHER ITEMS

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

Handwritten signature of Don A. Brown in cursive script.

Don Anthony Brown, Clerk
Illinois Pollution Control Board