



IPCB

Illinois Pollution Control Board

BOARD MEETING MINUTES

JANUARY 18, 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 4, 2024 regular open meeting 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

<u>PCB 13-72</u>	<u>People of the State of Illinois v. Petco Petroleum Corporation</u> (Water – Enforcement) – The Board denied Petco’s Motion for Oral Argument on Petco’s Motion to Dismiss Counts 62 Through 73 of the First Amended Complaint and Complainant’s Motion to Strike Respondent’s Affirmative and Additional Defenses to the First Amended Complaint and Immaterial Matter.	4-0 roll call vote
<u>PCB 23-91</u>	<u>People of the State of Illinois v. Rochelle Energy LLC</u> (Air, CAAPP – Enforcement) – Upon receiving a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action concerning an Ogle County landfill gas-to-energy facility, the Board directed the Clerk to provide the required newspaper notice.	4-0 roll call vote
<u>PCB 23-117</u>	<u>People of the State of Illinois v. Qasem Ahmed d/b/a Harvey Marathon</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 Harvey Marathon to pay a \$5,000 civil penalty and to cease and desist from further violations.	4-0 roll call vote
<u>PCB 23-129</u>	<u>People of the State of Illinois v. Leif’s Auto Salvage, Inc.</u> (Air – Enforcement) – The Board granted the People’s motion for unopposed motion to deem facts admitted and for summary judgment against Leif. The Board found that Leif violated Section 201.302(a) of the Board’s air pollution regulations (35 Ill. Adm. Code 201.302(a)) and Section 9(a) of the Act (415 ILCS 5/9(a) (2022)), as alleged in the People’s complaint and entered an order requiring Leif to pay a \$15,000 no later than February 20, 2024.	4-0 roll call vote

<p><u>PCB 24-16</u></p>	<p><u>People of the State of Illinois v. Nasser Yafai, Quick Gas & Mini Mart, Inc., CYPR Harvey, Inc. d/b/a Quick Gas & Mini Mart, Inc., and Harvey Real Estate, 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 Nasser Yafai and Quick Gas to pay a \$5,000 civil penalty and to cease and desist from further violations. The Board also granted the People’s unopposed motions against CYPR Harvey and Harvey Real Estate to deem facts admitted and for summary judgment and found that CYPR Harvey and Harvey Real Estate violated Sections 218.586(i)(1)(B) and 218.586(i)(2)(C) of the Board’s air pollution regulations (35 Ill. Adm. Code 218.586(i)(1)(B), 218.586(i)(2)(C)) and Section 9(a) of the Act (415 ILCS 5/9(a) (2022)). Harvey Real Estate and CYPR Harvey each must pay a civil penalty of \$10,000 no later than Tuesday, February 20, 2024,</p>	<p>4-0 roll call vote</p>
<p><u>PCB 24-35</u></p>	<p><u>People of the State of Illinois v. Techo-Bloc Midwest Corp.</u> (Air – Enforcement) – In this enforcement action concerning Techno-Bloc’s concrete block plant located in Rock Island 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 Techno-Bloc to pay a \$6,650 civil penalty and to cease and desist from further violations.</p>	<p>4-0 roll call vote</p>
<p><u>PCB 24-39</u></p>	<p><u>People of the State of Illinois v. Ferrara Candy Company</u> (Air, CAAPP – Enforcement) – In this enforcement action concerning Ferrara’s candy production plant located in Cook 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 Techno-Bloc to pay a \$13,300 civil penalty and to cease and desist from further violations.</p>	<p>4-0 roll call vote</p>
<p><u>PCB 24-43</u></p>	<p><u>Illinois Power Generating Company v. Illinois Environmental Protection Agency</u> (Land, CCR – Appeal) – The Board now granted the petitioner’s unopposed motion for a partial stay of the requirements of 35 Ill. Adm. Code 845.650(d), 845.660, 845.670, and 845.680 as they apply to the exceedance of the chloride groundwater protection standard at the Newton Primary Ash Pond.</p>	<p>4-0 roll call vote</p>
<p><u>PCB 24-46</u></p>	<p><u>Conserv FS, Inc. – Caledonia v. Illinois Environmental Protection Agency</u> (Water – Tax Certification) – The Board directed IEPA to file an amended recommendation within 30 days.</p>	<p>4-0 roll call vote</p>

<u>PCB 24-47</u>	People of the State of Illinois v. Advantage Automation Midwest, Inc. (Air – Enforcement) – The Board accepted for hearing the People’s complaint concerning this Macon County equipment manufacturing plant.	4-0 roll call vote
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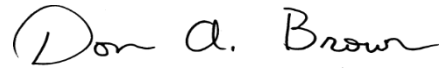
OTHER ITEMS

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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 1, 2024, by a vote of 4-0.



Don Anthony Brown, Clerk
Illinois Pollution Control Board