



IPCB

Illinois Pollution Control Board

BOARD MEETING MINUTES

May 2, 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. Chair Currie, Member Gibson, and Member Mankowski answered present. Member Van Wie was absent.

ANNOUNCEMENTS

None.

PUBLIC REMARKS

None.

APPROVAL OF MINUTES

The minutes of the Board's April 18, 2024 regular open meeting were approved by a roll call vote of 3-0.

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

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| <p><u>PCB 23-49</u></p> | <p><u>Village of Glenview and Solid Waste Agency of Northern Cook County v. Catholic Bishop of Chicago and Illinois Environmental Protection Agency (Water, Land – Enforcement, Citizen)</u> – First, the Board granted IEPA’s motion to dismiss the complaint as to IEPA for lack of standing and therefore dismissed IEPA from the case with prejudice; the Board also struck, with prejudice, the complaint’s claims and requests concerning IEPA. Second, the Board denied Catholic Bishop’s motion to dismiss the complaint as to Catholic Bishop for lack of standing. Third, the Board granted Catholic Bishop’s motion to dismiss the complaint’s allegations of permit violations as frivolous for failing to state a cause of action; the Board also struck, without prejudice, those allegations from the complaint. Fourth, on its own motion, the Board struck, without prejudice, the remainder of the complaint’s count II as frivolous for failing to state a cause of action. Fifth, on its own motion, the Board struck, with prejudice, the complaint’s request for litigation costs, including attorney fees, as frivolous for being beyond the Board’s authority to grant. Sixth, the Board denied Catholic Bishop’s motion to dismiss the complaint as duplicative of IEPA’s permitting process. Lastly, the Board accepted the complaint, as amended by this order, for hearing and gave Catholic Bishop 60 days from its receipt of the order to file an answer.</p> | <p>3-0 roll call vote</p> |
| <p><u>PCB 24-9</u></p> | <p><u>Paul Christian Pratapas v. Pulte Home Company, LLC (Water, NPDES – Enforcement, Citizen)</u> – The Board found that Pratapas unreasonably failed to comply with the directives of the Board’s November 2, 2023 order and the hearing officers’ April 25, 2024 order. Under that Board order and the Board’s authority to impose sanctions (35 Ill. Adm. Code 101.800), the Board granted Pulte’s dismissal motion, dismissed the complaint with prejudice, and closed the docket.</p> | <p>3-0 roll call vote</p> |
| <p><u>PCB 24-45</u></p> | <p><u>Electric Energy, Inc. v. Illinois Environmental Protection Agency (Land, CCR – Appeal)</u> – The Board granted the joint motion to stay but stayed the proceeding until July 31, 2024, which is the 90th day after this order’s date.</p> | <p>3-0 roll call vote</p> |

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| <u>PCB 24-48</u> | <u>Illinois Power Resources Generating v. Illinois Environmental Protection Agency</u> (Land, CCR – Appeal) – The Board granted the joint motion to stay but stayed the proceeding until July 31, 2024, which is the 90th day after this order’s date. | 3-0 roll call vote |
| <u>PCB 24-53</u> | <u>Dynergy Midwest Generation, LLC v. Illinois Environmental Protection Agency</u> (Land, CCR – Appeal) – The Board granted the joint motion to stay but stayed the proceeding until July 31, 2024, which is the 90th day after this order’s date. | 3-0 roll call vote |
| <u>PCB 24-55</u> | <u>Illinois Power Generating Company v. Illinois Environmental Protection Agency</u> (Land, CCR – Appeal) – The Board granted the joint motion to stay but stayed the proceeding until July 31, 2024, which is the 90th day after this order’s date. | 3-0 roll call vote |
| <u>PCB 24-56</u> | <u>Illinois Power Generating Company v. Illinois Environmental Protection Agency</u> (Land, CCR – Appeal) – The Board granted the joint motion to stay but stayed the proceeding until July 31, 2024, which is the 90th day after this order’s date. | 3-0 roll call vote |
| <u>PCB 24-67</u> | <u>People of the State of Illinois v. Titan Industries, Inc., d/b/a Mackinaw Valley Powder Coating; and MR Real Properties, LLC</u> (Air, Land, RCRA – Enforcement) – The Board accepted for hearing the People’s complaint concerning a Tazewell County facility. | 3-0 roll call vote |
| <u>PCB 24-68</u> | <u>Steve’s Fuel & Auto Care, Inc. v. Illinois Environmental Protection Agency</u> (UST Appeal) – The Board accepted for hearing this underground storage tank appeal involving a Morgan County site. | 3-0 roll call vote |

OTHER ITEMS

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ADJOURNMENT

Moved and seconded, by a roll call vote of 3-0, 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 May 2, 2024, by a vote of 4-0.



Don Anthony Brown, Clerk
Illinois Pollution Control Board