



IPCB

Illinois Pollution Control Board

BOARD MEETING MINUTES

July 11, 2024

11:00 a.m.

Videoconference

160 N. LaSalle St.
Chicago, IL
Room N-502

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 June 20, 2024 regular open meeting were approved by a roll call vote of 4-0.

RULEMAKINGS

<u>R23-18(A)</u>	<u>Amendments to 35 Ill. Adm. Code Parts 201, 202, and 212 (Air)</u> – The Board adopted a second-notice proposal to amend the Board's air pollution rules.	4-0 roll call vote
<u>R24-12</u>	<u>RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (July 1, 2023 through December 31, 2023) (Land)</u> – The Board adopted a proposal for public comment in this identical-in-substance rulemaking to amend the Board's hazardous waste rules.	4-0 roll call vote

<u>R24-17</u>	<p><u>Proposed Clean Car and Truck Standards: New 35 Ill. Adm. Code 242 (Air)</u> – On June 27, 2024, Sierra Club, Natural Resources Defense Council, Environmental Defense Fund, Respiratory Health Association, Chicago Environmental Justice Network, and Center for Neighborhood Technology proposed that the Board adopt a new Part 242 of its air pollution rules. The Board found that the proposal meets the requirements of the Board’s procedural rules and accepted the proposal for hearing.</p>	4-0 roll call vote
<u>R25-17</u>	<p><u>Amendments to 35 Ill. Adm. Code 217, Nitrogen Oxides Emissions (Air)</u> – On July 8, 2024, the Illinois Environmental Protection Agency (IEPA) filed a proposal to amend the Board’s Part 217 air pollution rules concerning nitrogen oxides or “NO_x” emissions. The Board found that the proposal meets the requirements of the Board’s procedural rules and accepted the proposal for hearing. In addition, the Board granted IEPA’s motion for expedited review and therefore submitted the proposal for first-notice publication without commenting on its substantive merits. The Board also granted IEPA’s motion to waive the requirement to file specified documents. Finally, the Board directed its assigned hearing officer to proceed expeditiously to hearing.</p>	4-0 roll call vote

ADJUSTED STANDARDS

<u>AS 21-7</u>	<p><u>Petition of Ameren Energy Medina Valley Cogen, LLC for Adjusted Standards from 35 Ill. Adm. Code Part 845 (Hutsonville D) (Land)</u> – Under Section 28.1 of the Environmental Protection Act (415 ILCS 5/28.1 (2022)), for Pond D at Hutsonville Power Station, the Board granted Ameren Energy Medina Valley Cogen, LLC an adjusted standard from the permitting requirements in 35 Ill. Adm. Code 845.170(a)(2) and the closure and post-closure care requirements in 35 Ill. Adm. Code 845.170(a)(3), subject to conditions.</p>	4-0 roll call vote
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ADMINISTRATIVE CITATIONS

<u>AC 24-11</u>	<p><u>Illinois Environmental Protection Agency v. Fu Zang Long, LLC (Land)</u> – The Board declined to accept Tahir Malik’s petition for review and denied Tahir Malik’s motion to intervene. After Fu Zang Long, LLC failed to timely file a petition to contest this administrative citation, the Board found that Fu Zang Long, LLC violated Section 55(k)(1) of the Environmental Protection Act (415 ILCS 5/55(k)(1) (2022)), as alleged. Because there was one violation of Section 55(k)(1), the Board ordered Fu Zang Long, LLC to pay a total civil penalty of \$1,500, reflecting the statutory penalty of \$1,500 per violation.</p>	4-0 roll call vote
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TIME-LIMITED WATER QUALITY STANDARDS

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ADJUDICATORY CASES

<u>PCB 24-4</u>	<u>People of the State of Illinois v. Kirk V. Feller and Feller Oilfield Service, Inc.</u> (Land, Water – Enforcement) – In this enforcement action concerning a Fayette County oil field services, transportation, road-grading, and excavating company, 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 Kirk V. Feller and Feller Oilfield Service, Inc. to pay a \$50,000 civil penalty and to cease and desist from further violations.	4-0 roll call vote
<u>PCB 24-64</u>	<u>West Chicago Park District v. Illinois Environmental Protection Agency</u> (UST Appeal) – The Board accepted for hearing this leaking underground storage tank (UST) appeal involving a DuPage County site.	4-0 roll call vote
<u>PCB 24-79</u>	<u>People of the State of Illinois v. Vantage Specialties, Inc.</u> (Air – Enforcement) – Upon receiving a complaint, stipulation, proposed settlement, and motion for relief from the hearing requirement in this enforcement action concerning Vantage Specialties’ Lake County chemical production facility, the Board accepted the complaint and directed the Clerk to provide the required newspaper notice.	4-0 roll call vote
<u>PCB 24-80</u>	<u>People of the State of Illinois v. PetDine, LLC, f/k/a Pedigree Ovens, LLC</u> (Air – Enforcement) – Upon receiving a complaint, stipulation, proposed settlement, and motion for relief from the hearing requirement in this enforcement action concerning PetDine’s McHenry County pet treat manufacturing facility, the Board accepted the complaint and directed the Clerk to provide the required newspaper notice.	4-0 roll call vote
<u>PCB 24-81</u>	<u>Marine Bank Springfield Trust #53-0051 v. Illinois Environmental Protection Agency</u> (UST Appeal) – The Board accepted for hearing this leaking underground storage tank (UST) appeal involving a Sangamon County site.	4-0 roll call vote
<u>PCB 25-1</u>	<u>ABP Properties, LLC v. Illinois Environmental Protection Agency</u> (UST Appeal) – The Board accepted for hearing this leaking underground storage tank (UST) appeal involving a Ford County site.	4-0 roll call vote

OTHER ITEMS

	The Board granted the Chair’s Motion under Section 2.06(c) of the Open Meetings Act (5 ILCS 120/2.06(c) (2022)) to continue preserving only written minutes of the Board’s closed meetings held on August 8, 2022, and December 8, 2022, and to approve destroying the verbatim tape recordings of those closed meetings.	4-0 roll call vote
	The Board granted the Chair’s Motion under Section 2.06(d) of the Open Meetings Act (5 ILCS 120/2.06(d) (2022)) to continue keeping confidential the minutes of the Board’s closed meeting held on January 29, 2024.	4-0 roll call vote

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 August 8, 2024, by a vote of 4-0.



Don Anthony Brown, Clerk
Illinois Pollution Control Board

BOARD MEETING DATES 2025

All meetings begin at 11:00 AM

The Board will conduct its meetings from its Springfield Videoconference Room 1244 N,
First Floor 1021 N. Grand Avenue East, Springfield, Illinois

Thursday, January 9
Thursday, January 23
Thursday, February 6
Thursday, February 20
Thursday, March 6
Thursday, March 20
Thursday, April 3
Thursday, April 17
Thursday, May 1
Thursday, May 15
Thursday, June 5
Thursday, June 26
Thursday, July 10
Thursday, July 24
Thursday, August 7
Thursday, August 21
Thursday, September 4
Thursday, September 18
Thursday, October 2
Thursday, October 16
Thursday, November 6
Thursday, November 20
Thursday, December 4
Thursday, December 18