



# IPC

Illinois Pollution Control Board

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## BOARD MEETING MINUTES

**August 8, 2024**

**11:00 a.m.**

**Videoconference**

160 N. LaSalle St.  
Chicago, IL  
Room C-500

AND

1021 N. Grand Ave. East  
Springfield, IL  
Conf. Room 1244 N, 1<sup>st</sup> Floor

### **ROLL CALL**

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The Clerk of the Board called the roll. All four Board Members answered present.

### **ANNOUNCEMENTS**

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Chair Currie announced the resumption of the Board’s Brown Bag Lunch series with a September 19, 2024 presentation by Members Van Wie and Mankowski concerning the Board’s noise rules and noise enforcement.

### **PUBLIC REMARKS**

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None.

### **APPROVAL OF MINUTES**

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The minutes of the Board’s July 11, 2024 regular open meeting were approved by a roll call vote of 4-0.

### **RULEMAKINGS**

<a href="#"><u>R25-2</u></a>	<u>UIC Update, USEPA Amendments (January 1, 2024 through June 30, 2024) (Land)</u> – The Board dismissed this reserved “identical-in-substance” docket because the United States Environmental Protection Agency did not amend its corresponding underground injection control (UIC) regulations during the update period of January 1, 2024 through June 30, 2024.	4-0 roll call vote
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<a href="#"><u>R25-3</u></a>	<u>RCRA Subtitle D (Municipal Solid Waste Landfill) Update, USEPA Regulations (January 1, 2024 through June 30, 2024) (Land)</u> – The Board dismissed this reserved “identical-in-substance” docket because the United States Environmental Protection Agency did not amend its corresponding municipal solid waste landfill (MSWLF) regulations during the update period of January 1, 2024 through June 30, 2024.	4-0 roll call vote
<a href="#"><u>R25-4</u></a>	<u>RCRA Subtitle C (Hazardous Waste) Update, USEPA Regulations (January 1, 2024 through June 30, 2024) (Land)</u> – The Board dismissed this reserved “identical-in-substance” docket because the United States Environmental Protection Agency did not amend its corresponding hazardous waste regulations during the update period of January 1, 2024 through June 30, 2024.	4-0 roll call vote
<a href="#"><u>R25-5</u></a>	<u>UST Update, USEPA Regulations (January 1, 2024 through June 30, 2024) (Land)</u> – The Board dismissed this reserved “identical-in-substance” docket because the United States Environmental Protection Agency did not amend its corresponding underground storage tank (UST) regulations during the update period of January 1, 2024 through June 30, 2024.	4-0 roll call vote
<a href="#"><u>R25-8</u></a>	<u>Definition of VOM, USEPA Amendments (January 1, 2024 through June 30, 2024) (Air)</u> – The Board dismissed this reserved “identical-in-substance” docket because, during the update period of January 1, 2024 through June 30, 2024, the United States Environmental Protection Agency did not amend its definition of “volatile organic compounds”, which corresponds to the Illinois definition of “volatile organic material” (VOM) in the Board’s air pollution control regulations.	4-0 roll call vote

**ADJUSTED STANDARDS**

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**ADMINISTRATIVE CITATIONS**

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**TIME-LIMITED WATER QUALITY STANDARDS**

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## ADJUDICATORY CASES

<p><a href="#"><u>PCB 13-72</u></a></p>	<p><u>People of the State of Illinois v. Petco Petroleum Corporation</u> (Water – Enforcement) – The Board granted, in part, the People’s motion to strike alleged affirmative and additional defenses in Petco’s answer to the People’s first amended complaint. As detailed in its order, the Board struck some defenses with prejudice and struck other defenses without prejudice. The Board also gave Petco leave to amend some defenses. In addition, the Board stated that it would later rule on striking one defense when it also rules on Petco’s motion to dismiss specified counts of the People’s first amended complaint. Finally, the Board denied the People’s motion to strike allegedly immaterial matter in Petco’s answer.</p>	<p>4-0 roll call vote</p>
<p><a href="#"><u>PCB 22-9</u></a></p>	<p><u>Doug and Geri Boyer v. MRB Development d/b/a Copper Fire, Renae Eichholz, and Mark Eichholz</u> (Noise – Enforcement, Citizen) – The Board granted respondents’ motion for summary judgment on the Boyers’ claim that respondents violated specified numeric sound emission standards. But the Board denied respondents’ motion for summary judgment on the Boyers’ claim that respondents violated the prohibition of nuisance noise pollution. The Board directed the hearing officer to proceed to hearing on the claim of nuisance noise pollution.</p>	<p>4-0 roll call vote</p>
<p><a href="#"><u>PCB 23-112</u></a></p>	<p><u>People of the State of Illinois v. Inland-Frycek, Inc.</u> (Land, Water – Enforcement) – Upon receiving a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action concerning a former Cook County gas station, the Board directed the Clerk to provide the required newspaper notice.</p>	<p>4-0 roll call vote</p>
<p><a href="#"><u>PCB 23-115</u></a></p>	<p><u>People of the State of Illinois v. Jay Shri Ganesha Inc. d/b/a Shivam Energy, Inc. and d/b/a Marathon Gas</u> (Air – Enforcement) – In this enforcement action concerning Jay Shri Ganesha Inc.’s Lake 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 Jay Shri Ganesha Inc. to pay a \$5,000 civil penalty and to cease and desist from further violations.</p>	<p>4-0 roll call vote</p>
<p><a href="#"><u>PCB 24-66</u></a></p>	<p><u>RCH Newco II, LLC v. Illinois Environmental Protection Agency</u> (Land, RCRA – Permit Appeal) – The Board accepted for hearing this permit appeal involving a hazardous waste landfill in Will County.</p>	<p>4-0 roll call vote</p>

<a href="#"><u>PCB 24-76</u></a>	<u>People of the State of Illinois v. Village of Bedford Park (Public Water Supply – Enforcement)</u> – In this enforcement action concerning the Village of Bedford Park’s public water supply 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 Village of Bedford Park to pay a \$3,240 civil penalty and to cease and desist from further violations.	4-0 roll call vote
<a href="#"><u>PCB 24-78</u></a>	<u>PIA AvCenter LLC d/b/a Byerly Aviation v. Illinois Environmental Protection Agency (UST Appeal)</u> – The Board accepted for hearing this leaking underground storage tank (UST) appeal involving a Peoria County site.	4-0 roll call vote
<a href="#"><u>PCB 25-2</u></a>	<u>Waste Management of Illinois, Inc. v. Illinois Environmental Protection Agency (Land – Permit Appeal)</u> – The Board accepted for hearing this permit appeal involving a leachate evaporator at a Waste Management landfill in Whiteside County.	4-0 roll call vote
<a href="#"><u>PCB 25-3</u></a>	<u>Midwest Generation, LLC v. Illinois Environmental Protection Agency (Land, CCR – Permit Appeal)</u> – The Board granted the parties’ request to extend the appeal period to November 5, 2024.	4-0 roll call vote
<a href="#"><u>PCB 25-4</u></a>	<u>Midwest Generation, LLC v. Illinois Environmental Protection Agency (Land, CCR – Permit Appeal)</u> – The Board granted the parties’ request to extend the appeal period to November 5, 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 August 22, 2024, by a vote of 4-0.



Don Anthony Brown, Clerk  
Illinois Pollution Control Board