



IPC

Illinois Pollution Control Board

BOARD MEETING MINUTES

August 22, 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 August 8, 2024 regular open meeting were approved by a roll call vote of 4-0.

RULEMAKINGS

<p><u>R20-19(A)</u></p>	<p><u>Standards for the Disposal of Coal Combustion Residuals in Surface Impoundments: Proposed New 35 Ill. Adm. Code 845 (Sub-Docket A) (Land)</u> – The Board adopted an order proposing amendments to the Part 845 rules on coal combustion residuals (CCR) for first-notice publication. The amendments concern temporary storage piles and fugitive dust. The Board also directed the Illinois Environmental Protection Agency to file a new rulemaking proposal by May 5, 2025, that incorporates new federal rules involving the disposal of historic, unconsolidated CCR. Finally, the Board opened a rulemaking docket to consider adopting an environmental justice procedural rule.</p>	<p>4-0 roll call vote</p>
<p><u>R23-18(A)</u></p>	<p><u>Amendments to 35 Ill. Adm. Code Parts 201, 202, and 212 (Air)</u> – The Board adopted final amendments to its air pollution rules that establish alternative emission limits for periods of startup, shutdown, breakdown, and malfunction.</p>	<p>4-0 roll call vote</p>

ADJUSTED STANDARDS

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ADMINISTRATIVE CITATIONS

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TIME-LIMITED WATER QUALITY STANDARDS

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ADJUDICATORY CASES

<p><u>PCB 06-58</u></p>	<p><u>Midwest Generation, LLC – Joliet Generating Station v. Illinois Environmental Protection Agency (Air, CAAPP – Permit Appeal)</u> – The Board granted Midwest Generation’s motion for voluntary dismissal.</p>	<p>4-0 roll call vote</p>
<p><u>PCB 06-60</u></p>	<p><u>Midwest Generation, LLC – Will County Generating Station v. Illinois Environmental Protection Agency (Air, CAAPP – Permit Appeal)</u> – The Board granted Midwest Generation’s motion for voluntary dismissal.</p>	<p>4-0 roll call vote</p>
<p><u>PCB 06-156</u></p>	<p><u>Midwest Generation, LLC – Will County Generating Station v. Illinois Environmental Protection Agency (Air – Permit Appeal)</u> – The Board granted Midwest Generation’s motion for voluntary dismissal.</p>	<p>4-0 roll call vote</p>

<u>PCB 08-9</u>	<u>Midwest Generation, LLC – Will County Generating Station v. Illinois Environmental Protection Agency (Air – Permit Appeal)</u> – The Board granted Midwest Generation’s motion for voluntary dismissal.	4-0 roll call vote
<u>PCB 08-22</u>	<u>Midwest Generation, LLC – Will County Generating Station v. Illinois Environmental Protection Agency (Air – Permit Appeal)</u> – The Board granted Midwest Generation’s motion for voluntary dismissal.	4-0 roll call vote
<u>PCB 10-98</u>	<u>Midwest Generation, LLC – Will County Generating Station v. Illinois Environmental Protection Agency (Air – Permit Appeal)</u> – The Board granted Midwest Generation’s motion for voluntary dismissal.	4-0 roll call vote
<u>PCB 13-72</u>	<u>People of the State of Illinois v. Petco Petroleum Corporation (Water – Enforcement)</u> – The Board denied Petco’s motion to dismiss counts 62 through 73 of the People’s first amended complaint. The Board also struck, with prejudice, the remaining portion of Petco’s affirmative defense pertaining to the statute of limitations.	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. (Air – Enforcement)</u> – Upon receiving a stipulation, proposed settlement, and request 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 24-32</u>	<u>1441 Kingshighway, LLC v. Illinois Environmental Protection Agency (UST Appeal)</u> – The Board granted 1441 Kingshighway’s request to authorize payment of legal fees and directed IEPA to reimburse 1441 Kingshighway \$19,729 in legal fees from the Underground Storage Tank (UST) Fund.	4-0 roll call vote
<u>PCB 24-66</u>	<u>RCH Newco II, LLC v. Illinois Environmental Protection Agency (Land, RCRA – Permit Appeal)</u> – The Board denied IEPA’s motion for extension of time to respond and granted RCH Newco II’s request for stay until the Board takes final action or orders otherwise.	4-0 roll call vote
<u>PCB 24-71</u>	<u>Speed Lube XIV v. Illinois Environmental Protection Agency (UST Appeal)</u> – Because Speed Lube XIV failed to file a petition during the extended appeal period, the Board dismissed the case and closed the docket.	4-0 roll call vote

<u>PCB 24-72</u>	<u>East-West Properties, LLC v. Illinois Environmental Protection Agency</u> (UST Appeal) – The Board accepted for hearing this leaking underground storage tank (UST) appeal involving a Cook County site.	4-0 roll call vote
<u>PCB 24-77</u>	<u>United States Steel Corporation v. Illinois Environmental Protection Agency</u> (Air, PSD – Permit Appeal) – The Board granted American Bottom Conservancy’s motion to intervene in this proceeding, subject to specified limitations.	4-0 roll call vote
<u>PCB 24-79</u>	<u>People of the State of Illinois v. Vantage Specialties, Inc.</u> (Air – Enforcement) – In this enforcement action concerning a Lake County chemical 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 Vantage Specialties to pay a \$60,000 civil penalty and to cease and desist from further violations.	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) – In this enforcement action concerning a McHenry County pet treat manufacturing 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 PetDine to pay a \$91,000 civil penalty and to cease and desist from further violations.	4-0 roll call vote
<u>PCB 25-5</u>	<u>R.W. Sheridan Oil Co., Inc. v. Illinois Environmental Protection Agency</u> (UST Appeal) – The Board accepted for hearing this leaking underground storage tank (UST) appeal involving a DeWitt County site.	4-0 roll call vote
<u>PCB 25-6</u>	<u>Archer Daniels Midland Company v. Illinois Environmental Protection Agency</u> (Water, NPDES – Permit Appeal) – The Board granted the parties’ request to extend the appeal period to October 9, 2024.	4-0 roll call vote
<u>PCB 25-7</u>	<u>Green Oil Company v. Illinois Environmental Protection Agency</u> (UST Appeal) – The Board accepted for hearing this leaking underground storage tank (UST) appeal involving a Knox County site.	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 September 5, 2024, by a vote of 4-0.

A handwritten signature in cursive script that reads "Don A. Brown". The signature is written in black ink and is positioned above a horizontal line.

Don Anthony Brown, Clerk
Illinois Pollution Control Board