

ILLINOIS POLLUTION CONTROL BOARD
April 3, 2014

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 14-119
)	(Enforcement - Air)
LAKE CITY CLEANERS, LLC, an Illinois)	
limited liability company,)	
)	
Respondent.)	

ORDER OF THE BOARD (by D. Glosser):

On March 21, 2014, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a one-count complaint against Lake City Cleaners, LLC (respondent). The complaint concerns respondent's dry-cleaning facility located at 831 Emerson Street in Evanston, Cook County. Accompanying the complaint was a stipulation, proposal for settlement, and request for relief from the hearing requirement. The parties therefore seek to settle the complaint without a hearing. For the reasons below, the Board accepts the complaint and directs the Clerk to provide public notice of the stipulation, proposed settlement, and request for hearing relief.

Under the Environmental Protection Act (Act) (415 ILCS 5 (2012)), the Attorney General and the State's Attorneys may bring actions before the Board to enforce Illinois' environmental requirements on behalf of the People. *See* 415 ILCS 5/31 (2012); 35 Ill. Adm. Code 103. In this case, the People allege that respondent violated Section 9(a) of the Act (415 ILCS 5/9(a) (2012)), and Section 201.302(a) of the Board Air Pollution Regulations (35 Ill. Adm. Code 301.302(a)), and Section 254.137(a) of the Illinois Environmental Protection Agency's Air Pollution Regulations (35 Ill. Adm. Code 254.137(a)), by not submitting its Annual Emissions Report (the Report) until July 5, 2013, when the Report was due by May 1, 2013. The Board finds that the complaint meets the applicable content requirements of the Board's procedural rules and accepts the complaint. *See* 35 Ill. Adm. Code 103.204(c).

On March 21, 2014, simultaneously with the People's complaint, the People and respondent filed a stipulation and proposed settlement, accompanied by a request for relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (2012)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2012)), which requires that the public have an opportunity to request a hearing whenever the State and a respondent propose settling an enforcement action without a public hearing. *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, the respondent admits the alleged violation and agrees to pay a civil penalty of \$2,000.

Unless the Board determines that a hearing is needed, the Board must cause notice of the stipulation, proposed settlement, and request for relief from the hearing requirement. Any person may file a written demand for hearing within 21 days after receiving the notice. If anyone timely files a written demand for hearing, the Board will deny the parties' request for relief and hold a hearing. *See* 415 ILCS 5/31(c)(2) (2012); 35 Ill. Adm. Code 103.300(b), (c). The Board directs the Clerk to provide the required notice.

IT IS SO ORDERED.

I, John T. Therriault, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on April 3, 2014, by a vote of 4-0.

A handwritten signature in black ink that reads "John T. Therriault". The signature is written in a cursive style with a long horizontal flourish extending to the right.

John T. Therriault, Clerk
Illinois Pollution Control Board