

ILLINOIS POLLUTION CONTROL BOARD
April 16, 2020

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 17-19
) (Enforcement - Water)
CRANBROOK FARMS, LLC, an Illinois)
limited liability company,)
)
Respondent.)

ORDER OF THE BOARD (by C.M. Santos):

On November 22, 2016, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a three-count complaint against Cranbrook Farms, LLC (Cranbrook). The complaint concerns Cranbrook’s swine wean-to-finish facility located at 21334 Illinois Highway 78, Annawan, Henry County. The parties now seek to settle without a hearing. For the reasons below, the Board directs the Clerk to provide public notice of the parties’ stipulation, proposed settlement, and request for relief from the hearing requirement.

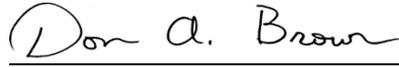
Under the Environmental Protection Act (Act) (415 ILCS 5 (2018)), the Attorney General and the State’s Attorneys may bring actions before the Board to enforce Illinois’ environmental requirements on behalf of the People. *See* 415 ILCS 5/31 (2018); 35 Ill. Adm. Code 103. In this case, the People allege that Cranbrook violated Sections 12(a) and 12(d) of the Act (415 ILCS 5/12(a), (d) (2018)), and Section 501.404(c)(2) of the Board’s regulations (35 Ill. Adm. Code 501.404(c)(2)). The People allege that Cranbrook violated these provisions by causing or threatening water pollution, depositing livestock waste upon the land in such place and manner so as to create a water pollution hazard, and by failing to make impermeable or seal its livestock waste storage lagoon in order to prevent groundwater pollution and surface water pollution.

On March 20, 2020, the People and Cranbrook 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) (2018)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2018)), 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, Cranbrook does not affirmatively admit the alleged violations and agrees to pay a civil penalty of \$1,500.

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) (2018); 35 Ill. Adm. Code 103.300(b), (c). The Board directs the Clerk to provide the required notice.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on April 16, 2020 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 A. Brown, Clerk
Illinois Pollution Control Board