

ILLINOIS POLLUTION CONTROL BOARD  
December 17, 2020

PEOPLE OF THE STATE OF ILLINOIS )  
by KWAME RAOUL, Attorney )  
General of the State of Illinois, )  
 )  
Complainant, )  
 )  
v. ) PCB No. 20-66  
 ) (Enforcement - Water)  
J & M VEHICLE MANAGEMENT )  
ENTERPRISES, LLC an Illinois limited )  
liability company, d/b/a B & O USED )  
AUTO PARTS )  
Respondents. )

ORDER OF THE BOARD (by J. Van Wie):

On March 19, 2019, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a two-count complaint against J & M Vehicle Management Enterprises, LLC. (J & M). The complaint concerns an automobile and metals recycling operation owned and operated by J & M at the property J & M leased at 800 Brickville Road, Sycamore, DeKalb County, Illinois (“Facility”). 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 J & M violated:

1. Section 12(f) of the Illinois Environmental Protection Act, 415 ILCS 5/12(f)(2018), and Section 309.102(a) of the Board Water Pollution Regulations, 35 Ill. Adm. Code 309.102(a) by operating an industrial facility without a NPDES permit.
2. Section 12(a) of the Illinois Environmental Protection Act, 415 ILCS 5/12(a)(2018), by causing or threatening or allowing the discharge of any contaminants so as to cause or tend to cause water pollution in Illinois creating a threat of water pollution.

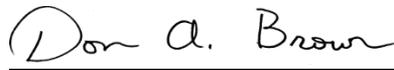
On December 10, 2020, the People and J & M filed a stipulation and proposal for settlement, accompanied by a request for relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (2018)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2018)), 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, J & M affirmatively admits the alleged violations and agrees to pay a civil penalty of \$3,500.00.

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 30 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 December 17, 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