

ILLINOIS POLLUTION CONTROL BOARD
September 9, 2021

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
) PCB 21-47
v.) (Enforcement - Water)
)
FRONTIER NORTH, INC., a Wisconsin)
corporation,)
)
Respondent.)

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

On December 30, 2020, the Office of the Attorney General, on behalf of the People of the State of Illinois (People or State), filed a one-count complaint against Frontier North, Inc. (Frontier North). The complaint concerns Frontier North's warehouse located at 9062-9038 Old State Route 13 in Marion, Williamson 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 (2020)), 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 (2020); 35 Ill. Adm. Code 103. In this case, the People allege that Frontier North violated Section 12(a) and 12(f) of the Act (415 ILCS 5/12(a) and (f) (2020)) and Section 309.102(a) of the Board's water regulations by causing, threatening, or allowing the discharge of contaminants into the environment; into the waters of the State; and into waters of the State without a National Pollutant Discharge Elimination System (NPDES) permit issued by the Illinois Environmental Protection Agency.

On August 26, 2021, the People and Frontier North 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) (2020)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2020)), 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, Frontier North affirmatively admits to the alleged violations and agrees to pay a civil penalty of \$7,000.00.

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) (2020); 35 Ill. Adm. Code 103.300(b), (c). The Board directs the Clerk to provide the required notice.

IT IS SO ORDERED.

I, Timothy J. Fox, Acting Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on September 9, 2021 by a vote of 4-0.

A handwritten signature in black ink, appearing to read "Timothy J. Fox". The signature is written in a cursive, somewhat stylized font.

Timothy J. Fox, Acting Clerk
Illinois Pollution Control Board