

Count IV—GDB violated Section 722.111 of the Board’s regulations, 35 Ill. Adm. Code 722.111, by failing to determine whether waste generated at the Site was a hazardous waste. Further, GDB also violated Section 808.121(a) of the Board’s regulations, 35 Ill. Adm. Code 808.121(a), by failing to determine whether the waste generated at the Site was a special waste. Because GDB violated Sections 722.111 and 808.121(a) of the Board’s regulations, GDB also violated Section 21(d)(2) of the Act, 415 ILCS 5/21(d)(2) (2018), by conducting waste-storage operation in violation of a regulation adopted by the Board.

Count V—GDB violated Section 21(e) of the Act, 415 ILCS 5/21(e) (2018), by disposing, storing, and/or abandoning wastes at the Site.

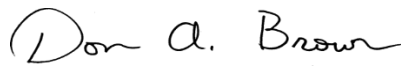
The Board finds that the complaint meets the applicable content requirements of the Board’s procedural rules and accepts the complaint. *See* 35 Ill. Adm. Code 103.204(c).

On December 4, 2019, simultaneously with the People’s complaint, the People and GDB 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, the GDB does not admit the alleged violations and agrees to pay a civil penalty of \$22,000.

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) (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 19, 2019, by a vote of 4-0.



Don A. Brown, Clerk
Illinois Pollution Control Board