ILLINOIS POLLUTION CONTROL BOARD June 18, 2020

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
V.)	PCB 20-13
)	(Enforcement
ERICKSON STEEL COMPANY, Inc., an)	
Illinois corporation,)	
Dognandant)	

- Air)

Respondent.

ORDER OF THE BOARD (by B. F. Currie):

On September 9, 2019, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a one-count complaint against Erickson Steel Company, Inc. (Erickson). The complaint concerns Erickson's metal fabrication facility at 715 South Second Street, Pekin, Tazewell 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 Erickson violated 415 ILCS 5/9(c) of the Act by causing or allowing the open burning of refuse at its facility.

On May 27, 2020, the People and Erickson 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, Erickson admits the alleged violation[s] and agrees to pay a civil penalty of \$3,000.00.

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 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 June 18, 2020, by a vote of 4-0.

Don a. Brown

Don A. Brown, Clerk Illinois Pollution Control Board