

ILLINOIS POLLUTION CONTROL BOARD

November 5, 2020

PEOPLE OF THE STATE OF ILLINOIS,)
)
)
Complainant,)
)
)
v.) PCB 21-18
) (Enforcement - Water)
REID MURDOCH, LLC, d/b/a REID)
MURDOCH CENTER,)
)
)
Respondent.

ORDER OF THE BOARD (by A. Palivos):

On September 9, 2020, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a three-count complaint against Reid Murdoch, LLC, d/b/a Reid Murdoch Center (Reid Murdoch). The complaint concerns Reid Murdoch's facility located at 325 North LaSalle Street in Chicago, Cook 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 Reid Murdoch violated Sections 12(a) and 12(f) of the Environmental Protection Act (Act), 415 ILCS 5/12(a), 12(f) (2018); Sections 305.102(b), 309.102(a), and 309.104 (a) of the Board's water pollution regulations, 35 Ill. Adm. Code 305.102(b), 309.102(a), 309.104(a); and NPDES Standard Permit Condition Nos. 2, 4, and 7. The People allege that Reid Murdoch committed these violations by failing to timely apply for reissuance of its NPDES permit, discharging non-contact cooling water without an NPDES permit, and failing to timely comply with reporting requirements.

On October 28, 2020, the People and Reid Murdoch 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, Reid Murdoch neither admits nor denies the alleged violations and agrees to pay a civil penalty of \$10,000.

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 comment or 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 November 5, 2020, by a vote of 4-0.

Don A. Brown
Don A. Brown, Clerk
Illinois Pollution Control Board