ILLINOIS POLLUTION CONTROL BOARD July 29, 2021

PEOPLE OF THE STATE OF ILLINOIS,)
Complainant,)
V.) PCB 22-001) (Enforcement - Land
PARR INSTRUMENT COMPANY, an Illinois corporation,))
Respondent.)

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

On July 14, 2021, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a two-count complaint against Parr Instrument Company (Parr). The complaint concerns Parr's property located at 211 53rd Street in Moline, Rock Island County. Accompanying the complaint was a stipulation, proposal for settlement, and request for relief from the hearing requirement. The parties therefore seek to settle the complaint without a hearing. For the reasons below, the Board accepts the complaint and directs the Clerk to provide public notice of the stipulation, proposed settlement, and request for hearing relief.

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 Parr violated Sections 21(e) and (i) of the Act, 415 ILCS 5/21(e) and (i) (2020), as well as Sections 722.111 and 808.121(a) of the Board Regulations, 35 Ill. Adm. Code 722.111 and 808.121(a). The People allege Parr violated these provisions by producing hazardous waste, failing to determine whether the waste paint related material generated was hazardous, failing to properly dispose of hazardous material, and failing to determine whether the waste paint related material was a special waste. 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 July 14, 2021, simultaneously with the People's complaint, the People and Parr 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) (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, the Parr neither admits nor denies the alleged violations and agrees to pay a civil penalty of \$12,000.00

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

IT IS SO ORDERED.

I, Tim Fox, Acting Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on July 29, 2021, by a vote of 4-0.

Tim Fox, Acting Clerk

Illinois Pollution Control Board