

ILLINOIS POLLUTION CONTROL BOARD
June 23, 2022

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 22-85
)	(Enforcement – Water, NPDES)
COOK-ILLINOIS CORP., an Illinois)	
corporation,)	
)	
Respondent.)	

ORDER OF THE BOARD (by C.M. Santos):

On June 13, 2022, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a one-count complaint against Cook-Illinois Corp. (Cook-Illinois). Cook-Illinois owns and operates subsidiaries including Lakeside Transportation (Lakeside). The complaint concerns Lakeside’s school bus transportation and maintenance facility located at 2794 North Northwestern Avenue in Waukegan, Lake 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 Cook-Illinois violated the Section 12(f) of the Act (415 ILCS 5/12(f) (2020)) and Section 309.102(a) of the Board’s water pollution regulations (35 Ill. Adm. Code 309.102(a)) by discharging stormwater associated with industrial activity without obtaining coverage under the NPDES General Stormwater Permit for Industrial Activities. 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 June 13, 2022, simultaneously with the People’s complaint, the People and Cook-Illinois 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, Cook-Illinois does not affirmatively admit 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) (2020); 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 23, 2022, by a vote of 5-0.

A handwritten signature in cursive script that reads "Don A. Brown". The signature is written in black ink and is positioned above a solid horizontal line.

Don A. Brown, Clerk
Illinois Pollution Control Board