ILLINOIS POLLUTION CONTROL BOARD June 23, 2022

PEOPLE OF THE STATE OF ILLINOIS,)
Complainant,))
v.) PCB 22-84
CHEMTE A DE COLUTIONS I LO) (Enforcement – Water, NPDES)
CHEMTRADE SOLUTIONS, LLC, a)
Delaware limited liability company,)
)
Respondent.)

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

On June 10, 2022, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a two-count complaint against Chemtrade Solutions, LLC (Chemtrade). The complaint concerns Chemtrade's chemical supply facility located at 2500 Kingshighway in East St. Louis, St. Clair 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 Chemtrade violated Sections 12(a) and 12(f) of the Act (415 ILCS 5/12(a), 12(f) (2020)), Sections 305.102(b) and 309.102(a) of the Board's water pollution regulations (35 Ill. Adm. Code 305.102(b), 309.102(a)), and Special Condition 6 of NPDES Permit No. IL0000647.

The People allege that Chemtrade committed these violations by causing, threatening, or allowing discharges from point sources into a water of the State in violation of its permit and Board regulations; causing, threatening, or allowing the discharge of contaminants into the environment in violation of the Board's regulations; discharging contaminants into the waters of the State from a point source not in compliance with the conditions on an NPDES permit; and not submitting required discharge monitoring reports. 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 10, 2022, simultaneously with the People's complaint, the People and Chemtrade 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, Chemtrade admits the alleged violations and agrees to pay a civil penalty of \$12,000.

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.

Don A. Brown, Clerk

Illinois Pollution Control Board