

ILLINOIS POLLUTION CONTROL BOARD
May 18, 2023

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 23-114
) (Enforcement - Water)
GREEN MEADOWS ESTATES OF)
ROCKFORD, LLC, an Illinois limited liability)
company, and GREEN MEADOWS)
ESTATES MHC, LLC, a Delaware limited)
liability company,)
)
Respondent.)

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

On May 3, 2023, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a two-count complaint against Green Meadows Estates of Rockford, LLC, and Green Meadows Estates MHC, LLC (Green Meadows). The complaint concerns Green Meadows’s mobile home park located in Rockford, Winnebago 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 Green Meadows violated the following sections of the Act and Board regulations:

Count I: Section 17.10(d)(2) of the Act, 415 ILCS 5/17.10(d)(2) (2020) and Section 601.101(a) of the Board Public Water Supplies Regulations, 35 Ill. Adm. Code 601.101(a) by exceeding the limit for trichloroethylene (TCE) in its public water supply and by failing to implement the Illinois Environmental Protection Agency plan to reduce the concentration of TCE in its water supply.

Count II: Sections 18(a)(1)-(2) of the Act, 415 ILCS 5/18(a)(1)-(2) (2020), and Sections 601.101 and 611.330(b) of the Board Public Water Supplies regulations, 35 Ill. Adm. Code 601.101 and 611.330(b) by failing to meet the maximum contaminant level for combined radium at sample point TP01 of its public water supply.

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 May 3, 2023, simultaneously with the People's complaint, the People and Green Meadows 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 Green Meadows does not affirmatively admit the alleged violations and agrees to pay a civil penalty of \$40,000.

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 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, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on May 18, 2023, by a vote of 3-0.



Don A. Brown, Clerk
Illinois Pollution Control Board