ILLINOIS POLLUTION CONTROL BOARD September 7, 2023

| PEOPLE OF THE STATE OF ILLINOIS, |) | |
|----------------------------------|---|----------------------------------|
| Complainant, |) | |
| v. |) | PCB 24-15 (Enforcement - Air) |
| CORES FOR YOU, INC., an Illinois |) | (Emorcement - Air) |
| Corporation, Respondent |) | |
| Respondent. |) | |

ORDER OF THE BOARD (by M. Gibson):

On August 23, 2023, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a four-count complaint against Cores For You, Inc. (Cores). The complaint concerns Cores' core-making facility located at 16 Industrial Park in Hamilton, Hancock County (Facility). 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 (2022)), 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 (2022); 35 Ill. Adm. Code 103. In this case, the People allege that Cores violated the Act and Board regulations as follows:

Count I: Section 9(a) of the Act, 415 ILCS 5/9(a) (2022), and Sections 201.302(a) and 254.132(a) of the Board's Air Pollution Regulations, 35 Ill. Adm. Code 201.302(a), 254.132(a), by failing to timely submit complete and accurate annual emission reports.

Count II: Sections 9(b) and 9.12 of the Act, 415 ILCS 5/9(b), 9.12 (2022), and Section 201.142 of the Board's Air Pollution Regulations, 35 Ill. Adm. Code 201.142, by failing to obtain construction permits from the Illinois Environmental Protection Agency (IEPA) prior to the construction of emission units at the Facility and failing to timely pay the appropriate construction permit fees for the construction of emission units at the Facility.

Count III: Section 9(b) of the Act, 415 ILCS 5/9(b) (2022), and Section 201.143 of the Board's Air Pollution Regulations, 35 Ill. Adm. Code 201.143, by failing to obtain the required operating permits from IEPA prior to operating emission units at the Facility.

Count IV: Section 9.14 of the Act, 415 ILCS 5/9.14, and Section 201.175(d)(1)(C) of the Board's Air Pollution Regulations, 35 Ill. Adm. Code 201.175(d)(1)(C), by constructing and operating emission units at the Facility without registering for the Registration of Smaller Sources program with IEPA.

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 August 23, 2023, simultaneously with the People's complaint, the People and Cores 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) (2022)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2022)), 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, Cores does not affirmatively admit the alleged violations and agrees to pay a civil penalty of \$20,000.

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) (2022); 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 September 7, 2023, by a vote of 4-0.

Don A. Brown, Clerk

Illinois Pollution Control Board

(1) a. Brown