

ILLINOIS POLLUTION CONTROL BOARD

October 5, 2023

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
Complainant, )  
)  
v. ) PCB 24-10  
) (Enforcement - Water)  
REDLINE METALS, INC., an Illinois )  
corporation, )  
)  
Respondent.

ORDER OF THE BOARD (by M.D. Mankowski):

On July 28, 2023, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a two-count complaint against Redline Metals, Inc. (Redline). The complaint concerns Redline's metal scrapyard located at 1255 Gifford Road, Elgin in Kane County. The parties now seek to settle without a hearing. For the reasons below, the Board directs the Clerk to provide public notice of the parties' stipulation, proposed settlement, and request for relief from the hearing requirement.

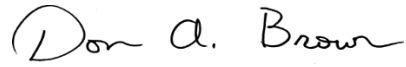
Under the Environmental Protection Act (Act) (415 ILCS 5 (2022)), the Attorney General and the State's Attorneys may bring actions before the Board to enforce Illinois' environmental requirements on behalf of the People. *See* 415 ILCS 5/31 (2022); 35 Ill. Adm. Code 103. In this case, the People allege that Redline violated Sections 12(a) and 12(f) of the Act, 415 ILCS 5/12(a), 12(f) (2022) and Section 309.102(a), of the Board's water pollution rules (35 Ill. Adm. Code 309.102(a)) by causing, threatening, or allowing the discharge of stormwater associated with industrial activity without obtaining coverage under the National Pollutant Discharge Elimination System General Stormwater Permit for Industrial Activities.

On September 22, 2023, the People and Redline 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, Redline does not affirmatively admit the alleged violations and agrees to pay a civil penalty of \$15,000.

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) (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 October 5, 2023, by a vote of 4-0.

A handwritten signature in cursive script that reads "Don A. Brown". The signature is written in black ink and is positioned above the printed name and title.

Don A. Brown, Clerk  
Illinois Pollution Control Board