BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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)	PCB No. 24-054
)	(Enforcement–Water-NPDES)
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MOTION FOR RELIEF FROM HEARING REQUIREMENT

NOW COMES Complainant, PEOPLE OF THE STATE OF ILLINOIS, by KWAME RAOUL, Attorney General of the State of Illinois, and pursuant to Section 31(c)(2) of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31(c)(2) (2022), moves that the Illinois Pollution Control Board grant the parties in the above-captioned matter relief from the hearing requirement imposed by Section 31(c)(1) of the Act, 415 ILCS 5/31(c)(1) (2022). In support of this motion, Complainant states as follows:

- 1. On February 7, 2024, Complainant filed the initial Complaint in this matter.
- Along with this Motion, Complainant filed on April 1, 2024 a Stipulation and Proposal for Settlement executed between Complainant and the Respondent, All American Ready Mix, Inc.

(c)(2)

3. Section 31(c)(2) of the Act, 415 ILCS 5/31(c)(2) (2022), provides as follows:

Notwithstanding the provisions of subdivision (1) of this subsection (c), whenever a complaint has been filed on behalf of the Agency or by the People of the State of Illinois, the parties may file with the Board a stipulation and proposal for settlement accompanied by a request for relief from the requirement of a hearing pursuant to subdivision (1). Unless the Board, in its discretion, concludes that a hearing will be held, the Board shall cause notice of the stipulation, proposal and request for relief to be published and sent in the same manner as is required for hearing pursuant to subdivision (1) of this

subsection. The notice shall include a statement that any person may file a written demand for hearing within 21 days after receiving the notice. If any person files a timely written demand for hearing, the Board shall deny the request for relief from a hearing and shall hold a hearing in accordance with the provisions of subdivision (1).

- 4. No hearing is scheduled in this matter.
- 5. A telephonic status conference is scheduled for April 25, 2024 at 10:30 a.m.
- 6. The Complainant, PEOPLE OF THE STATE OF ILLINOIS, hereby requests relief from the requirement of a hearing pursuant to Section 31(c)(2) of the Act, 415 ILCS 5/31(c)(2) (2022)

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS KWAME RAOUL, Attorney General

MATTHEW J. DUNN, Chief Environmental Enforcement/Asbestos Litigation Division

BY: /s/ Bridget Flynn

BRIDGET FLYNN, #6332314 Assistant Attorney General Environmental Bureau/Springfield Office of the Illinois Attorney General Springfield, Illinois 62706 Office: (217) 782-9033

Cell: (312) 848-5254 bridget.flynn@ilag.gov

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
By KWAME RAOUL, Attorney)	
General of the State of Illinois,)	
)	
Complainant,)	
)	
v.)	PCB No. 24-054
)	(Enforcement - Water)
)	
ALL AMERICAN READY MIX, INC.,)	
)	
Respondent.)	

CERTIFICATE OF SERVICE

I hereby certify that I did on April 2, 2024, send by U.S. Regular mail, and by email, where indicated, a true and correct copy of the document entitled Notice of Filing, Stipulation and Proposal for Settlement and Motion for Relief from Hearing Requirement to:

For the Respondent

Pat Langheim
2 Buecker Lane
Springfield, Illinois 62707

Via Electronic Mail
Stephen F. Hedinger
Sorling Northrup Hanna Cullen & Cochran, Ltd.
1 N Old State Capital PLZ, #200
Springfield, Illinois 62701
sfhedinger@sorlinglaw.com

For the Illinois Pollution Control Board

Via Electronic Mail
Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 N. Grand Ave., E.
Springfield, Illinois 62794-9274
Carol.webb@illinois.gov

/s/ Cathy Formigoni
Cathy Formigoni
Paralegal
Environmental Bureau

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that she verily believes the same to be true.

/s/ Cathy Formigoni
Cathy Formigoni
Paralegal
Environmental Bureau