

ILLINOIS POLLUTION CONTROL BOARD

January 8, 2026

PEOPLE OF THE STATE OF ILLINOIS,        )  
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    )  
Complainant,                                )  
    )  
    )  
v.    ) PCB 25-8  
    ) (Enforcement - Land)  
MOTOR CITY CHEVROLET GMC, INC.,        )  
    )  
    )  
    )  
Respondent.                                 )

OPINION AND ORDER OF THE BOARD (by J. A. Van Wie):

On August 26, 2024, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a six-count complaint (Comp.) against Motor City Chevrolet GMC, Inc. (Motor City). The complaint concerns Motor City's automobile dealership located at 1511 Railroad Avenue, Kewanee, Henry County, Illinois. The parties now seek to settle without a hearing. For the reasons below, the Board accepts the parties' stipulation and proposed settlement.

Under the Environmental Protection Act (Act) (415 ILCS 5 (2024)), the Attorney General and the State's Attorneys may bring actions before the Board on behalf of the People to enforce Illinois' environmental requirements. *See* 415 ILCS 5/31 (2024); 35 Ill. Adm. Code 103. In this case, the People allege that Motor City violated Sections 12(a) and (d), 21(a), (e), and (p)(1) of the Act (415 ILCS 5/12(a), (d), 21(a), (e), (p)(1) (2024)), and Sections 722.111, 739.122(b), 739.122(d) and 808.121(a) of the Board's regulations (35 Ill. Adm. Code 722.111, 739.122(b), 739.122(d), 808.121(a)), by causing or allowing the open dumping of waste; causing or allowing the open dumping of waste in a manner that resulted in litter; causing, threatening, or allowing the discharge of contaminants into the environment so as to cause or tend to cause water pollution; depositing contaminants upon the land in such a place and manner so as to create a water pollution hazard; disposing, treating, storing, or abandoning waste at a site that did not meet the requirements of the Act and failing to determine whether the waste was hazardous or special waste; and storing used oil in damaged or leaking tanks and failing to properly stop, contain, and clean up released used oil in accordance with regulatory requirements.

On November 21, 2025, the People and Motor City 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) (2024)).<sup>1</sup> This filing is authorized by Section 31(c)(2) of the

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<sup>1</sup> The Board notes a discrepancy in the respondent's name. The complaint was filed against "Motor City Chevrolet GMC, Inc.", but alleges that, "[a]t the time of the violations, Motor City operated under the business name MOTOR CITY CHEVROLET BUICK GMC, INC." Comp. at 2. The stipulation and settlement identifies the respondent as "Motor City Chevrolet Buick GMC, Inc.", but the motion for relief omits "Buick" from the respondent's name. The Board

Act (415 ILCS 5/31(c)(2) (2024)), 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). The Board provided notice of the stipulation, proposed settlement, and request for relief. The newspaper notice was published in the *Star Courier* on December 10, 2025. The Board did not receive any requests for hearing. The Board grants the parties' request for relief from the hearing requirement. *See* 415 ILCS 5/31(c)(2) (2024); 35 Ill. Adm. Code 103.300(b).

Section 103.302 of the Board's procedural rules sets forth the required contents of stipulations and proposed settlements. *See* 35 Ill. Adm. Code 103.302. These requirements include stipulating to facts on the nature, extent, and causes of the alleged violations and the nature of Motor City's operations. Section 103.302 also requires that the parties stipulate to facts called for by Section 33(c) of the Act (415 ILCS 5/33(c) (2024)), which bears on the reasonableness of the circumstances surrounding the alleged violations. Motor City admits the alleged violations. The stipulation also addresses the factors of Section 42(h) of the Act (415 ILCS 5/42(h) (2024)), which may mitigate or aggravate the civil penalty amount. Under the proposed settlement, Motor City agrees to pay a civil penalty of \$10,345.00 within 30 days after the date of this order. The People and Motor City have satisfied Section 103.302. The Board accepts the stipulation and proposed settlement.

This opinion constitutes the Board's findings of fact and conclusions of law.

### **ORDER**

1. The Board accepts and incorporates by reference the stipulation and proposed settlement.
2. Motor City must pay a civil penalty of \$10,345.00 no later than February 9, 2026, which is the first business day following the 30th day after the date of this order. Motor City must pay the civil penalty by certified check or money order payable to the Illinois Environmental Protection Agency for deposit into the Environmental Protection Trust Fund. The case name and case number must appear on the certified check or money order.
3. Motor City must submit payment of the civil penalty to:

Illinois Environmental Protection Agency  
Fiscal Services #2  
2520 W. Iles Ave.  
P.O. Box 19276  
Springfield, Illinois 62794-9276

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presumes that the stipulation and settlement's use of "Motor City Chevrolet Buick GMC, Inc." is merely a misnomer and that "Motor City Chevrolet GMC, Inc." is bound to the terms of the stipulation and settlement.

Motor City must send a copy of the certified check or money order and any transmittal letter to:

Seeta Goyal  
Assistant Attorney General  
Environmental Bureau  
Illinois Attorney General's Office  
500 South 2<sup>nd</sup> Street  
Springfield, Illinois 62701

4. Penalties unpaid within the time prescribed will accrue interest under Section 42(g) of the Environmental Protection Act (415 ILCS 5/42(g) (2024)) at the rate set forth in Section 1003(a) of the Illinois Income Tax Act (35 ILCS 5/1003(a) (2024)).
5. Motor City must cease and desist from future violations of the Environmental Protection Act and Board regulations that were the subject of the complaint.

IT IS SO ORDERED.

Section 41(a) of the Environmental Protection Act provides that final Board orders may be appealed directly to the Illinois Appellate Court within 35 days after the Board serves the order. 415 ILCS 5/41(a) (2024); *see also* 35 Ill. Adm. Code 101.300(d)(2), 101.906, 102.706. Illinois Supreme Court Rule 335 establishes filing requirements that apply when the Illinois Appellate Court, by statute, directly reviews administrative orders. 172 Ill. 2d R. 335. The Board's procedural rules provide that motions for the Board to reconsider or modify its final orders may be filed with the Board within 35 days after the order is received. 35 Ill. Adm. Code 101.520; *see also* 35 Ill. Adm. Code 101.902, 102.700, 102.702. Filing a motion asking that the Board reconsider this final order is not a prerequisite to appealing the order. 35 Ill. Adm. Code 101.902.

<b>Names and Addresses for Receiving Service of Any Petition for Review Filed with the Appellate Court</b>	
<b>Parties</b>	<b>Board</b>
Motor City Chevrolet GMC, Inc. Attn: Eric R. Ellenberger President and Registered Agent 403 East McClure Street Kewanee, IL 61443	Illinois Pollution Control Board Attn: Don A. Brown, Clerk 60 E. Van Buren St., Suite 630 Chicago, Illinois 60605 <a href="mailto:don.brown@illinois.gov">don.brown@illinois.gov</a>
Bruce L. Carmen, Attorney 116 North East Street Cambridge, IL 61238	

Office of the Illinois Attorney General  
Attn: Seeta Goyal  
500 South 2<sup>nd</sup> Street  
Springfield, IL 62701  
[seeta.goyal@ilag.gov](mailto:seeta.goyal@ilag.gov)

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above opinion and order on January 8, 2026, by a vote of 4-0.

Don A. Brown

Don A. Brown, Clerk  
Illinois Pollution Control Board