

ILLINOIS POLLUTION CONTROL BOARD
February 15, 2007

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 06-188
)	(Enforcement - Water)
KARAM TOOR and SURJIT TOOR,)	
individuals d/b/a TOOR CAR and TRUCK)	
PLAZA, and SINGH INC. OF ILLINOIS, a)	
foreign corporation d/b/a TOOR CAR and)	
TRUCK PLAZA,)	
)	
Respondents.)	

OPINION AND ORDER OF THE BOARD (by N.J. Melas):

On June 23, 2006, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Karam Toor and Surjit Toor, doing business as Toor Car and Truck Plaza, and Singh Inc. of Illinois, doing business as Toor Car and Truck Plaza (collectively, Toors). See 415 ILCS 5/31(c)(1) (2004); 35 Ill. Adm. Code 103.204. The People allege that the Toors violated Section 12(f) of the Act (415 ILCS 5/12(f) (2004)) and 35 Ill. Adm. Code 309.104(a). The People further allege that the Toors violated these provisions by failing to timely renew their National Pollutant Discharge Elimination System permit. The complaint concerns the Toor's facility at 43067 North U.S. Highway 41, Wadsworth, Lake County, Illinois.

On January 2, 2007, the People and the Toors 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) (2004)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2004)). See 35 Ill. Adm. Code 103.300(a). The newspaper notice was published in the *Gurnee/Wadsworth Journal* on January 19, 2007. 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) (2004); 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. 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 the Toors' 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) (2004)). The People and the Toors have satisfied Section 103.302. Under the proposed stipulation, the Toors neither admit nor deny the alleged violations and agree to pay a civil penalty of \$6,300. 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. Karam Toor and Surjit Toor, doing business as Toor Car and Truck Plaza, and Singh Inc. of Illinois, doing business as Toor Car and Truck Plaza (collectively, Toors) must pay a civil penalty of \$6,300 no later than March 17, 2007, which is the 30th day after the date of this order. The Toors must pay the civil penalty by certified check or money order, payable to the Illinois Environmental Protection Agency, designated to the Environmental Protection Trust Fund. The case number, case name, and the Toors' social security number or federal employer identification number must be included on the certified check or money order.
3. The Toors must send the certified check or money order to:

Illinois Environmental Protection Agency
Fiscal Services Division
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

Copies of the certified check or money order and any transmittal letter must be sent to:

Vanessa A. Vail
Assistant Attorney General
Environmental Bureau
188 W. Randolph St., 20th Floor
Chicago, Illinois 60601

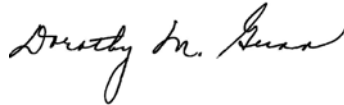
Charles Gunnarson
Assistant Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Springfield, Illinois 62794-9276

4. Penalties unpaid within the time prescribed will accrue interest under Section 42(g) of the Environmental Protection Act (415 ILCS 5/42(g) (2004)) at the rate set forth in Section 1003(a) of the Illinois Income Tax Act (35 ILCS 5/1003(a) (2004)).
5. The Toors must cease and desist from the alleged violations.

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) (2004); *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.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above opinion and order on February 15, 2007, by a vote of 4-0.

A handwritten signature in cursive script that reads "Dorothy M. Gunn".

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board