

ILLINOIS POLLUTION CONTROL BOARD
May 7, 2015

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 15-72
)	(Enforcement – Air, Water)
STARVED ROCK ADVENTURES, INC., an)	
Illinois corporation,)	
)	
Respondent.)	

ORDER OF THE BOARD (by J.A. Burke):

On September 12, 2014, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a four-count complaint against Starved Rock Adventures, Inc. (SRA). The complaint concerns SRA’s parcel of land consisting of approximately 17 acres located at 1170 North 27th Road (also known as Dee Bennett Road), Ottawa, La Salle 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 (2012)), the Attorney General may bring actions before the Board to enforce Illinois’ environmental requirements on behalf of the People. *See* 415 ILCS 5/31 (2012); 35 Ill. Adm. Code 103. In this case, the People allege that SRA violated Sections 9(a), 9(c), 12(d), and 12(f) of the Act (415 ILCS 5/9(a), 9(c), 12(d), 12(f) (2012)), and Sections 201.141, 237.102, 305.102, and 309.102 of the Board’s regulations (35 Ill. Adm. Code 201.141, 237.102, 305.102, 309.102). According to the complaint, SRA violated these provisions by: causing or allowing air pollution; burning landscape waste and trade waste; depositing contaminants on the land in such a manner as to create a water pollution hazard; and violating conditions of SRA’s National Pollutant Discharge Elimination System permit.

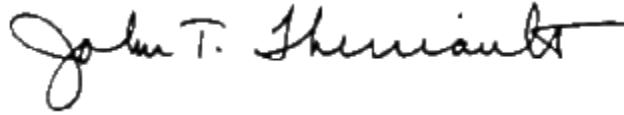
On April 22, 2015, the People and SRA filed a stipulation and proposed settlement, accompanied by a request for relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (2012)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2012)), which 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, SRA does not affirmatively admit the alleged violations but agrees to pay a civil penalty of \$8,000.

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) (2012); 35 Ill. Adm. Code 103.300(b), (c). The Board directs the Clerk to provide the required notice.

IT IS SO ORDERED.

I, John T. Therriault, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on May 7, 2015 by a vote of 5-0.

A handwritten signature in black ink that reads "John T. Therriault". The signature is written in a cursive style with a long horizontal flourish extending to the right.

John T. Therriault, Clerk
Illinois Pollution Control Board