

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

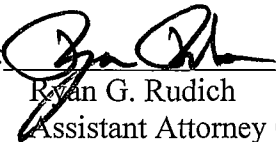
PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB No.
)	(Enforcement – Land)
AMERICAN WOOD RECYCLING, INC.,)	
an Illinois corporation,)	
)	
Respondent.)	

NOTICE OF FILING

To:	Via Certified Mail	Via Certified Mail
	American Wood Recycling, Inc.	Eric Malnar
	c/o Steve Berglund	Stahl Cowen Crowley Addis LLC
	275 Sola Drive	55 West Monroe Street, Suite 1200
	Gilberts, Illinois 60136	Chicago, Illinois 60603

PLEASE TAKE NOTICE that on July 30, 2015, the Complainant filed with the Office of the Clerk of the Pollution Control Board the Complaint, Stipulation and Proposal for Settlement and Motion for Relief from Hearing Requirement in the above-captioned matter, copies of which are attached and hereby served upon you. Financing may be available, through the Illinois Environmental Facilities Financing Act, to correct the violations alleged in the Complaint.

PEOPLE OF THE STATE OF ILLINOIS,
ex rel. LISA MADIGAN, Attorney General
of the State of Illinois

By:  _____
 Ryan G. Rudich
 Assistant Attorney General
 Environmental Bureau
 69 W. Washington St., 18th Floor
 Chicago, IL 60602
 (312) 814-1511
rrudich@atg.state.il.us

DATE: July 30, 2015

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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COMPLAINT

Complainant, PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, Attorney General of the State of Illinois, complains of Respondent, AMERICAN WOOD RECYCLING, INC., an Illinois corporation, as follows:

COUNT I

STORING LANDSCAPE WASTE FOR A PERIOD EXCEEDING WASTE-STORAGE PERMIT DURATION LIMIT

1. This Complaint is brought on behalf of the PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, Attorney General of the State of Illinois, on her own motion and at the request of the Illinois Environmental Protection Agency (“Illinois EPA”) pursuant to Section 31 of the Illinois Environmental Protection Act (“Act”), 415 ILCS 5/31 (2014).

2. The Illinois EPA is an agency of the State of Illinois created by the Illinois General Assembly in Section 4 of the Act, 415 ILCS 5/4 (2014), and charged, *inter alia*, with the duty of enforcing the Act.

3. At all times relevant to the Complaint, Respondent, AMERICAN WOOD RECYCLING, INC. (“Respondent” or “AWR”), was and is an Illinois corporation in good standing authorized to conduct business in Illinois.

4. At all times relevant to this Complaint, AWR has owned and operated a landscape waste transfer station located at 2550 Beverly Road, Hoffman Estates, Cook County, Illinois ("Facility").

5. The Facility receives and processes landscape waste before transferring it off-site.

6. During the fall months, AWR receives large amounts of leaves and other landscape waste at the Facility which is processed and taken to Advanced Disposal Orchard Hills Landfill in Davis Junction, Illinois for use as alternate daily cover.

7. On June 12, 2008, the Illinois EPA issued Respondent Supplemental Permit No. 2008-067-SP, approving the continued operation of the Facility.

8. Supplemental Permit No. 2008-067-SP, Section II.5, provides as follows:

II. OPERATION

5. Local siting approval, through the process described in Section 39.2 of the Environmental Protection Act (the Act), has not been obtained for this facility. Therefore, all landscape waste received at this facility shall be transferred within 24 hours of receipt, in accordance with the restrictions on the exemption from local siting approval provided in Section 39.2(o) of the Act. Landscape waste from this facility shall be transferred to a waste management facility operating in compliance with Section 22.22 of the Act and in accordance with 35 IAC, Part 830.

9. On November 22, 2013, the Illinois EPA inspected the Facility.

10. On November 22, 2013, piles of landscape waste had been stored at the Facility for more than 24 hours after being received and processed.

11. Section 21(d)(1) of the Act, 415 ILCS 5/21(d)(1) (2014), provides as follows:

Prohibited acts. No person shall:

(d) Conduct any waste-storage, waste-treatment, or waste-disposal operation:

(1) without a permit granted by the Agency or in violation of any conditions imposed by such permit....

12. Section 3.315 of Act, 415 ILCS 5/3.315 (2014), provides the following definition:

“Person” is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, state agency, or any other legal entity, or their legal representative, agent or assigns.

13. AWR is a “person” as that term is defined in Section 3.315 of Act, 415 ILCS 5/3.315 (2014).

14. Section 3.535 of the Act, 415 ILCS 5/3.535 (2014), provides the following definition:

“Waste” means any garbage, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility or other discarded material....

15. Section 3.270 of the Act, 415 ILCS 5/3.270 (2014), provides the following definition:

“Landscape waste” means all accumulations of grass or shrubbery cuttings, leaves, tree limbs and other materials accumulated as the result of the care of lawns, shrubbery, vines and trees.

16. The material AWR receives, processes and stores at the Facility is “waste” and “landscape waste” as those terms are defined in Sections 3.535 and 3.270 of the Act, 415 ILCS 5/3.535 and 3.270 (2014).

17. Section 3.480 of the Act, 415 ILCS 5/3.480 (2014), provides the following definition:

“Storage” means the containment of waste, either on a temporary basis or for a period of years, in such a manner as not to constitute disposal.

18. By maintaining piles of landscape waste at the Facility, AWR conducted a waste “storage” operation as that term is defined in Section 3.480 of the Act, 415 ILCS 5/3.480 (2014).

19. By storing piles of landscape waste at the Facility for a period exceeding 24 hours, AWR violated Section II.5 of Supplemental Permit No. 2008-067-SP.

20. By conducting a waste-storage operation in violation of Section II.5 of Supplemental Permit No. 2008-067-SP, AWR violated Section 21(d)(1) of the Act, 415 ILCS 5/21(d)(1) (2014).

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that the Board enter an order in favor of Complainant and against Respondent, AMERICAN WOOD RECYCLING, INC., with respect to this Count I:

1. Authorizing a hearing in this matter at which time the Respondent will be required to answer the allegations herein;
2. Finding that the Respondent has violated Section 21(d)(1) of the Act, 415 ILCS 5/21(d)(1) (2014), and Section II.5 of Supplemental Permit No. 2008-067-SP;
3. Ordering Respondent to cease and desist from any future violations of Section 21(d)(1) of the Act, 415 ILCS 5/21(d)(1) (2014), and Section II.5 of Supplemental Permit No. 2008-067-SP;
4. Assessing against the Respondent a civil penalty of Fifty Thousand Dollars (\$50,000.00) for each violation of the Act and an additional penalty of Ten Thousand Dollars (\$10,000.00) for each day of violation;
5. Ordering the Respondent to pay all costs of this action pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2014), including attorney, expert witness and consultant fees expended by the State in its pursuit of this action; and

6. Granting such other relief as the Board deems appropriate and just.

COUNT II

**ACCEPTING LANDSCAPE WASTE IN EXCESS OF PERMITTED
DAILY VOLUME LIMIT**

1-16. Plaintiff realleges and incorporates by reference herein paragraphs 1 through 7, 9, and 11 through 18 of Count I as paragraphs 1 through 16 of this Count II.

17. Supplemental Permit No. 2008-067-SP, Section II.8, provides as follows:

II. OPERATION

8. This facility shall not accept more than 500 tons of landscape waste per day and throughput shall not exceed 140,000 tons per year.

18. On November 11, 2013, AWR received 524.81 tons of landscape waste at the Facility.

19. By receiving more than 500 tons of landscape waste at the Facility on November 11, 2013, AWR violated Section II.8 of Supplemental Permit No. 2008-067-SP.

20. By conducting a waste-storage operation in violation of Section II.8 of Supplemental Permit No. 2008-067-SP, AWR violated Section 21(d)(1) of the Act, 415 ILCS 5/21(d)(1) (2014).

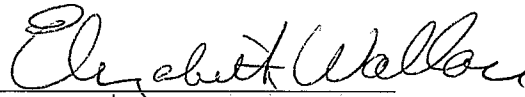
WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that the Board enter an order in favor of Complainant and against Respondent, AMERICAN WOOD RECYCLING, INC., with respect to this Count II:

1. Authorizing a hearing in this matter at which time the Respondent will be required to answer the allegations herein;

2. Finding that the Respondent has violated Section 21(d)(1) of the Act, 415 ILCS 5/21(d)(1) (2014), and Section II.8 of Supplemental Permit No. 2008-067-SP;
3. Ordering Respondent to cease and desist from any future violations of Section 21(d)(1) of the Act, 415 ILCS 5/21(d)(1) (2014), and Section II.8 of Supplemental Permit No. 2008-067-SP;
4. Assessing against the Respondent a civil penalty of Fifty Thousand Dollars (\$50,000.00) for each violation of the Act and an additional penalty of Ten Thousand Dollars (\$10,000.00) for each day of violation;
5. Ordering the Respondent to pay all costs of this action pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2014), including attorney, expert witness and consultant fees expended by the State in its pursuit of this action; and
6. Granting such other relief as the Board deems appropriate and just.

PEOPLE OF THE STATE OF ILLINOIS
ex rel. LISA MADIGAN
Attorney General of the State of Illinois

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

BY: 
ELIZABETH WALLACE, Chief
Environmental Bureau
Assistant Attorney General

OF COUNSEL:
RYAN G. RUDICH
Assistant Attorney General
Environmental Bureau
69 W. Washington Street, Suite 1800
Chicago, Illinois 60602
(312) 814-1511

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STIPULATION AND PROPOSAL FOR SETTLEMENT

Complainant, PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, Attorney General of the State of Illinois, the Illinois Environmental Protection Agency (“Illinois EPA”), and American Wood Recycling, Inc. (“Respondent”), (collectively “Parties to the Stipulation”), have agreed to the making of this Stipulation and Proposal for Settlement (“Stipulation”) and submit it to the Illinois Pollution Control Board (“Board”) for approval. This stipulation of facts is made and agreed upon for purposes of settlement only and as a factual basis for the Board’s approval of this Stipulation and issuance of relief. None of the facts stipulated herein shall be introduced into evidence in any other proceeding regarding the violations of the Illinois Environmental Protection Act (“Act”), 415 ILCS 5/1, et seq. (2014), and the Board’s regulations, alleged in the Complaint except as otherwise provided herein. It is the intent of the Parties to the Stipulation that it be a final adjudication of this matter.

I. STATEMENT OF FACTS

A. Parties

1. On July 30, 2015, a Complaint was filed on behalf of the People of the State of Illinois by Lisa Madigan, Attorney General of the State of Illinois, on her own motion and upon

the request of the Illinois EPA, pursuant to Section 31 of the Act, 415 ILCS 5/31 (2014), against the Respondent.

2. The Illinois EPA is an administrative agency of the State of Illinois, created pursuant to Section 4 of the Act, 415 ILCS 5/4 (2014).

3. At all times relevant to the Complaint, Respondent was and is an Illinois corporation that is authorized to transact business in the State of Illinois.

4. At all times relevant to the Complaint, Respondent owned and operated a landscape waste transfer station located at 2550 Beverly Road, Hoffman Estates, Cook County, Illinois ("Facility" or "Site").

B. Allegations of Non-Compliance

Complainant contends that the Respondent has violated the following provisions of the Act and its operating permit:

Count I: Conducting a waste-storage operation in violation of Section II.5 of its Supplemental Permit No. 2008-067-SP, in violation of Section 21(d)(1) of the Act, 415 ILCS 5/21(d)(1) (2014).

Count II: Conducting a waste-storage operation in violation of Section II.8 of its Supplemental Permit No. 2008-067-SP, in violation of Section 21(d)(1) of the Act, 415 ILCS 5/21(d)(1) (2014).

C. Admission of Violations

The Respondent admits to the violations alleged in the Complaint filed in this matter and referenced within Section I.B herein.

II. APPLICABILITY

This Stipulation shall apply to and be binding upon the Parties to the Stipulation. The Respondent shall not raise as a defense to any enforcement action taken pursuant to this Stipulation the failure of any of its officers, directors, agents, employees or successors or assigns

to take such action as shall be required to comply with the provisions of this Stipulation. This Stipulation may be used against the Respondent in any subsequent enforcement action or permit proceeding as proof of a past adjudication of violation of the Act for all violations alleged in the Complaint in this matter, for purposes of Sections 39 and 42 of the Act, 415 ILCS 5/39 and 42 (2014).

III. IMPACT ON THE PUBLIC RESULTING FROM ALLEGED NON-COMPLIANCE

Section 33(c) of the Act, 415 ILCS 5/33(c) (2014), provides as follows:

In making its orders and determinations, the Board shall take into consideration all the facts and circumstances bearing upon the reasonableness of the emissions, discharges, or deposits involved including, but not limited to:

1. the character and degree of injury to, or interference with the protection of the health, general welfare and physical property of the people;
2. the social and economic value of the pollution source;
3. the suitability or unsuitability of the pollution source to the area in which it is located, including the question of priority of location in the area involved;
4. the technical practicability and economic reasonableness of reducing or eliminating the emissions, discharges or deposits resulting from such pollution source; and
5. any subsequent compliance.

In response to these factors, the Parties to the Stipulation state the following:

1. Human health and the environment were threatened by the Respondent's violations.
2. There is social and economic benefit to the facility.
3. Operation of the facility was and is suitable for the area in which it is located.

4. Compliance with the terms of Respondent's permit was and is both technically practicable and economically reasonable.

5. Respondent has subsequently complied with the Act.

IV. CONSIDERATION OF SECTION 42(h) FACTORS

Section 42(h) of the Act, 415 ILCS 5/42(h) (2014), provides as follows:

In determining the appropriate civil penalty to be imposed under . . . this Section, the Board is authorized to consider any matters of record in mitigation or aggravation of penalty, including but not limited to the following factors:

1. the duration and gravity of the violation;
2. the presence or absence of due diligence on the part of the respondent in attempting to comply with requirements of this Act and regulations thereunder or to secure relief therefrom as provided by this Act;
3. any economic benefits accrued by the respondent because of delay in compliance with requirements, in which case the economic benefits shall be determined by the lowest cost alternative for achieving compliance;
4. the amount of monetary penalty which will serve to deter further violations by the respondent and to otherwise aid in enhancing voluntary compliance with this Act by the respondent and other persons similarly subject to the Act;
5. the number, proximity in time, and gravity of previously adjudicated violations of this Act by the respondent;
6. whether the respondent voluntarily self-disclosed, in accordance with subsection i of this Section, the non-compliance to the Agency;
7. whether the respondent has agreed to undertake a "supplemental environmental project," which means an environmentally beneficial project that a respondent agrees to undertake in settlement of an enforcement action brought under this Act, but which the respondent is not otherwise legally required to perform; and
8. whether the respondent has successfully completed a Compliance Commitment Agreement under subsection (a) of Section 31 of this Act to remedy the violations that are the subject of the complaint.

In response to these factors, the Parties to the Stipulation state as follows:

1. On November 22, 2013, landscape waste had been stored at the Facility for more than 24 hours after being received and processed in violation of Section II.5 of Respondent's Supplemental Permit No. 2008-067-SP and Section 21(d)(1) of the Act, 415 ILCS 5/21(d)(1) (2014). On November 11, 2013, Respondent received more than 500 tons of landscape waste at the Facility in violation of Section II.8 of Supplemental Permit No. 2008-067-SP and Section 21(d)(1) of the Act, 415 ILCS 5/21(d)(1) (2014).

2. Respondent was diligent in attempting to come back into compliance with the Act once the Illinois EPA notified it of its noncompliance.

3. The civil penalty takes into account any economic benefit realized by the Respondent as a result of avoided or delayed compliance.

4. Complainant has determined, based upon the specific facts of this matter, that a penalty of Six Thousand Dollars (\$6,000.00) will serve to deter further violations and aid in future voluntary compliance with the Act and Board regulations.

5. On September 6, 2001, the Board ordered Respondent to pay a \$4,000 civil penalty for violating Sections 21(a), (d)(1) and (2), (e), and (p)(1) of the Act, 415 ILCS 5/21(a), (d)(1) and (2), (e), and (p)(1) (2000), and Section 812.101(a) of the Board's Solid Waste Regulations, 35 Ill. Adm. Code 812.101(a). On February 13, 2003, The Circuit Court of Cook County entered a Consent Order in which it ordered Respondent to pay an \$8,000 civil penalty for violating Sections 21(a), (d)(1) and (2), and (e) of the Act, 415 ILCS 5/21(a), (d)(1) and (2), and (e) (2002), and Sections 807.201 and 807.210 of the Board's Solid Waste Regulations, 35 Ill. Adm. Code 807.201 and 807.210. On January 7, 2010, the Circuit Court of Cook County entered a Consent Order in which it ordered Respondent to pay a \$10,000 civil penalty and perform a \$33,000 supplemental environmental project for violating Sections 21(a) and (d)(1),

and 22.36(b)(1), (2), (3), (6)(i) and (ii), of the Act, 415 ILCS 5/21(a) and(d)(1), and 22.36(b)(1), (2), (3), (6)(i) and (ii).

6. Respondent did not voluntarily self-disclose the violations alleged in the Complaint.

7. The settlement of this matter does not include a supplemental environmental project.

8. A Compliance Commitment Agreement was not at issue in this matter.

V. TERMS OF SETTLEMENT

A. Penalty Payment

The Respondent shall pay a civil penalty in the sum of Six Thousand Dollars (\$6,000.00) within thirty (30) days from the date the Board adopts and accepts this Stipulation.

B. Interest and Default

1. If the Respondent fails to make any payment required by this Stipulation on or before the date upon which the payment is due, the Respondent shall be in default and the remaining unpaid balance of the penalty, plus any accrued interest, shall be due and owing immediately. In the event of default, the Complainant shall be entitled to reasonable costs of collection, including reasonable attorney's fees.

2. Pursuant to Section 42(g) of the Act, interest shall accrue on any penalty amount owed by the Respondent not paid within the time prescribed herein. Interest on unpaid penalties shall begin to accrue from the date such are due and continue to accrue to the date full payment is received. Where partial payment is made on any penalty amount that is due, such partial payment shall be first applied to any interest on unpaid penalties then owing.

C. Payment Procedures

1. All payments required by this Stipulation shall be made by certified check or money order payable to the Illinois EPA for deposit into the Environmental Protection Trust Fund ("EPTF"). Payments shall be sent by first class mail and delivered to:

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

2. The case name and case number shall appear on the face of the certified check or money order.

3. A copy of the certified check or money order and any transmittal letter shall be sent to:

Ryan G. Rudich
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
69 W. Washington Street, Suite 1800
Chicago, Illinois 60602

D. Future Compliance

1. Beginning at the time of the Board's adoption and acceptance of this Stipulation and Proposal for Settlement, Respondent shall not store landscape waste at the Facility for more than 24 hours after being received and processed.

2. Beginning at the time of the Board's adoption and acceptance of this Stipulation and Proposal for Settlement, Respondent shall not receive more than 500 tons per day of landscape waste at the Facility.

3. In addition to any other authorities, the Illinois EPA, its employees and representatives, and the Attorney General, her employees and representatives, shall have the

right of entry into and upon the Respondent's facility which is the subject of this Stipulation, at all reasonable times for the purposes of conducting inspections and evaluating compliance status. In conducting such inspections, the Illinois EPA, its employees and representatives, and the Attorney General, her employees and representatives, may take photographs, samples, and collect information, as they deem necessary.

4. This Stipulation in no way affects the responsibilities of the Respondent to comply with any other federal, state or local laws or regulations, including but not limited to the Act and the Board Regulations.

5. The Respondent shall cease and desist from future violations of the Act that were the subject matter of the Complaint.

E. Release from Liability

In consideration of the Respondent's payment of the \$6,000.00 penalty, its commitment to cease and desist as contained in Section V.D.5 above, and upon the Board's approval of this Stipulation, the Complainant releases, waives and discharges the Respondent from any further liability or penalties for the violations of the Act that were the subject matter of the Complaint herein. The release set forth above does not extend to any matters other than those expressly specified in Complainant's Complaint filed on July 30, 2015. The Complainant reserves, and this Stipulation is without prejudice to, all rights of the State of Illinois against the Respondent with respect to all other matters, including but not limited to, the following:

- a. criminal liability;
- b. liability for future violation of state, federal, local, and common laws and/or regulations;
- c. liability for natural resources damage arising out of the alleged violations; and

- d. liability or claims based on the Respondent's failure to satisfy the requirements of this Stipulation.

Nothing in this Stipulation is intended as a waiver, discharge, release, or covenant not to sue for any claim or cause of action, administrative or judicial, civil or criminal, past or future, in law or in equity, which the State of Illinois may have against any person, as defined by Section 3.315 of the Act, 415 ILCS 5/3.315 (2014), or entity other than the Respondent.

F. Correspondence, Reports and Other Documents

Any and all correspondence, reports and any other documents required under this Stipulation, except for penalty payments, shall be submitted as follows:

As to the Complainant

Ryan G. Rudich
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
69 W. Washington Street, Suite 1800
Chicago, Illinois 60602

Mark V. Gurnik
Assistant Counsel
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

As to the Respondent

Eric J. Molnar
Stahl Cowen Attorneys
55 West Monroe Street, Suite 1200
Chicago, Illinois 60603

Steve Berglund
American Wood Recycling, Inc.
275 Sola Drive
Gilberts, Illinois 60136

G. Enforcement of Stipulation

Upon the entry of the Board's Order approving and accepting this Stipulation, that Order is a binding and enforceable order of the Board and may be enforced as such through any and all available means.

H. Execution of Stipulation

The undersigned representatives for the Parties to the Stipulation certify that they are fully authorized by the party whom they represent to enter into the terms and conditions of this Stipulation and to legally bind them to it.

WHEREFORE, the Parties to the Stipulation request that the Board adopt and accept the foregoing Stipulation and Proposal for Settlement as written.

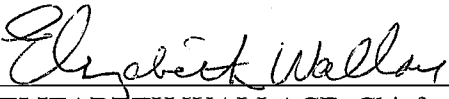
PEOPLE OF THE STATE OF ILLINOIS


ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

LISA MADIGAN
Attorney General
State of Illinois

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

LISA BONNETT, Director
Illinois Environmental Protection Agency

BY: 
ELIZABETH WALLACE, Chief
Assistant Attorney General
Environmental Bureau

BY: 
JOHN J. KIM
Chief Legal Counsel

DATE: 7/27/15

DATE: 7/21/15

AMERICAN WOOD RECYCLING, INC.

DATE: _____

WHEREFORE, the Parties to the Stipulation request that the Board adopt and accept the foregoing Stipulation and Proposal for Settlement as written.

PEOPLE OF THE STATE OF ILLINOIS

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

LISA MADIGAN
Attorney General
State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/
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Illinois Environmental Protection Agency

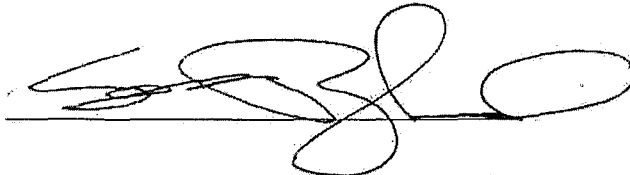
BY: _____
ELIZABETH WALLACE, Chief
Assistant Attorney General
Environmental Bureau

BY: _____
JOHN J. KIM
Chief Legal Counsel

DATE: _____

DATE: _____

AMERICAN WOOD RECYCLING, INC.



DATE: Ce - 25 - 15

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an Illinois corporation,)	
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Respondent.)	

MOTION FOR RELIEF FROM HEARING REQUIREMENT

NOW COMES Complainant, PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, 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) (2014), moves that the Illinois Pollution Control Board (“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) (2012). In support of this motion, Complainant states as follows:

1. On July 30, 2015, a Complaint was filed on behalf of the People of the State of Illinois by Lisa Madigan, Attorney General of the State of Illinois, on her own motion and upon the request of the Illinois EPA, pursuant to Section 31 of the Act, 415 ILCS 5/31 (2014), against the Respondent relating to its landscape waste transfer station located at 2550 Beverly Road, Hoffman Estates, Cook County, Illinois (“Complaint”).

2. The parties have reached agreement on all outstanding issues in the Complaint.

3. This agreement is presented to the Board in a Stipulation and Proposal for Settlement filed this same date.

4. All parties agree that a hearing on the Stipulation and Proposal for Settlement is not necessary, and respectfully request relief from such a hearing as allowed by Section 31(c)(2)

of the Act, 415 ILCS 5/31(c)(2) (2014).

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, hereby requests that the Board grant this motion for relief from the hearing requirement set forth in Section 31(c)(1) of the Act, 415 ILCS 5/31(c)(1) (2014).

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

LISA MADIGAN
Attorney General, State of Illinois

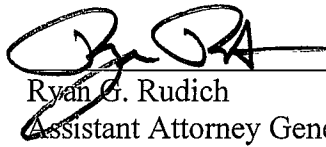
BY: 

Ryan G. Rudich
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
69 W. Washington Street, Suite 1800
Chicago, Illinois 60602
(312) 814-1511

DATE: July 30, 2015

CERTIFICATE OF SERVICE

I, Ryan G. Rudich, Assistant Attorney General, certify that on the 30th day of July, 2015, I caused to be served by U.S. Certified Mail (return receipt requested), the foregoing Notice of Filing, Complaint, Stipulation and Proposal for Settlement, and Motion for Relief from Hearing Requirement to the parties named on the Notice of Filing, by depositing same in postage prepaid envelopes with the United States Postal Service located at 100 West Randolph Street, Chicago, Illinois 60601.



Ryan G. Rudich
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
69 W. Washington Street, Suite 1800
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