ILLINOIS POLLUTION CONTROL BOARD
April 21, 2016

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 09-60
	)	(Enforcement-Water)
CROP PRODUCTION SERVICES,	)	
a Delaware corporation,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by C.K. Zalewski):

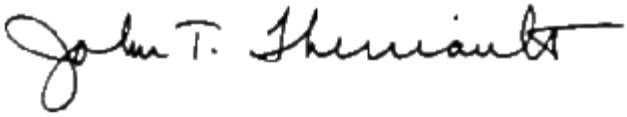
The People of the State of Illinois allege that Crop Production Services (CPS) caused, threatened or allowed water pollution at three agrichemical and fertilizer retail facilities: one in Sinclair, Morgan County; another in White Hall, Greene County; and a third southwest of Galesburg and east of Highway 41 in Knox County. The parties now seek to settle this enforcement action 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

In the April 6, 2009 complaint, the People allege that CPS violated Sections 12(a) and 12(d) of the Act by causing, allowing or threatening the discharge of contaminants to waters of the state and depositing contaminants upon the land in such place and manner so as to cause or tend to cause water pollution. 415 ILCS 5/12(a), (d) (2014). On April 5, 2016, the People and CPS 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) (2014). This filing is authorized by Section 31(c)(2) of the Act 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* 415 ILCS 5/31(c)(2) (2014); 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, CPS does not affirmatively admit the alleged violations and agrees to pay a civil penalty of $76,000.

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) (2014); 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 April, 21, 2016, by a vote of 5-0.



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John T. Therriault, Clerk
Illinois Pollution Control Board