

ILLINOIS POLLUTION CONTROL BOARD
June 16, 2016

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 16-107
) (Enforcement – Land RCRA)
JONES HYDROBLAST, INC., an Illinois)
corporation,)
)
Respondent.)

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

On May 31, 2016, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a four-count complaint against Jones Hydroblast, Inc (Jones). The complaint concerns Jones’s cleaning facility located at 111 S. Main Street in Royalton, Franklin County. Accompanying the complaint was a stipulation, proposal for settlement, and request for relief from the hearing requirement. The parties therefore seek to settle the complaint without a hearing. For the reasons below, the Board accepts the complaint and directs the Clerk to provide public notice of the stipulation, proposed settlement, and request for hearing relief.

Under the Environmental Protection Act (Act) (415 ILCS 5 (2014)), the Attorney General may bring actions before the Board to enforce Illinois’ environmental requirements on behalf of the People. *See* 415 ILCS 5/31 (2014); 35 Ill. Adm. Code 103. In this case, the People allege that Jones violated:

Sections 21(f)(1), (f)(2) and 31(a)(7.6) of the Act;
Sections 703.121(a) and (b) of the Board’s Waste Disposal Permit regulations;
the following Sections of the Board’s Hazardous Waste Operating Requirements regulations: 722.127, 722.131, 722.134(a)(2), (a)(3), and (c), 722.140(b) and (c), 722.141(a) and (b), 725.116(a)-(e), 725.131, 725.132, 725.133, 725.134, 725.135, 725.137, 725.151(a) and (b), 725.152(a), (c), (d), (e), and (f), 725.153, 725.154, 725.155, 725.273(a); and
Sections 733.111(a), 733.113(d)(1) and (d)(2), and 733.116 of the Board’s Underground Injection Control and Underground Storage Tank Program regulations. 415 ILCS 5/21(f)(1), (2), 31(a)(7.6) (2014); 35 Ill. Adm. Code 703.121(a), (b), 722.127, 722.131, 722.134(a)(2), (a)(3), (c), 722.140(b), (c), 722.141(a), (b), 725.116(a)-(e), 725.131, 725.132, 725.133, 725.134, 725.135, 725.137, 725.151(a),(b), 725.152(a), (c), (d), (e), (f), 725.153., 725.154, 725.155, 725.273(a), 733.111(a), 733.113(d)(1), (d)(2), 733.116.

The People allege that Jones violated these provisions by generating and disposing waste paint outside the scope and characteristics of the facility’s designation as a Small Quantity


Generator. The Board finds that the complaint meets the applicable content requirements of the Board's procedural rules and accepts the complaint. *See* 35 Ill. Adm. Code 103.204(c).

Simultaneously with the complaint, the People and Jones 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, Jones admits to the alleged violations and agrees to pay a civil penalty of \$7,500.

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 June 16, 2016, by a vote of 5-0.



John T. Therriault, Clerk
Illinois Pollution Control Board