

ILLINOIS POLLUTION CONTROL BOARD
January 16, 2020

PEOPLE OF THE STATE OF ILLINOIS)
by KWAME RAOUL, Attorney)
General of the State of Illinois,)
)
Complainant,)
)
v.) PCB No. 20-9
) (Enforcement – Air)
CHICAGO TIRE, INC., an Illinois)
corporation, and CHICAGO)
INDUSTRIAL RETREADERS, INC.,)
an Illinois corporation,)
)
Respondents.)

ORDER OF THE BOARD (by B.K. Carter):

On August 14, 2019, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a three-count complaint against Chicago Tire, Inc. and Chicago Industrial Retreaders, Inc. (Respondents). The complaint concerns Respondents' facility at 16001 S. Van Drunen Road, South Holland, Cook County, Illinois. 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 (2018)), the Attorney General and the State's Attorneys may bring actions before the Board to enforce Illinois' environmental requirements on behalf of the People. *See* 415 ILCS 5/31 (2018); 35 Ill. Adm. Code 103. In this case, the People allege that Respondents violated:


1. Section 9(b) of the Act (415 ILCS 5/9(b) (2018)) and Section 201.142 of the Board air pollution regulations (35 Ill. Adm. Code 201.142) by constructing emissions sources without a permit;
2. Section 9(b) of the Act (415 ILCS 5/9(b) (2018)) and Section 201.143 of the Board air pollution regulations (35 Ill. Adm. Code 201.143) by operating emissions sources without a permit; and
3. Section 9(a) of the Act (415 ILCS 5/9(a) (2018)) and Section 201.302(a) of the Board air pollution regulations (35 Ill. Adm. Code 201.302(a)) by failing to submit annual emissions reports.

On December 27, 2019, the People and Respondents filed a stipulation and proposal for 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) (2018)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2018)), 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, Respondents admit to the alleged violations and agree to pay a civil penalty of \$13,375.00.

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) (2018); 35 Ill. Adm. Code 103.300(b), (c). The Board directs the Clerk to provide the required notice.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on January 16, 2019 by a vote of 4-0.



Don A. Brown, Clerk
Illinois Pollution Control Board