## ILLINOIS POLLUTION CONTROL BOARD February 4, 2021

| PEOPLE OF THE STATE OF ILLINOIS,   | )   |      |
|------------------------------------|-----|------|
| Complainant,                       | ) ) |      |
| V.                                 | )   | PCE  |
| CORE CHAMPAIGN DANIEL, an Illinois | )   | (Ent |
| limited liability company,         | )   |      |
| Respondent.                        | )   |      |

PCB 21-44 (Enforcement - Water)

ORDER OF THE BOARD (by A. Palivos):

On December 18, 2020, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a three-count complaint against Core Champaign Daniel, LLC (Core Champaign Daniel). The complaint concerns a building owned by Core Champaign Daniel's at 812 South 6th Street in Champaign, Champaign 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 (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 Core Champaign Daniel violated Sections 9(a) and 12(a) of the Act (415 ILCS 5/9(a), 12(a) (2018)) and Section 302.203 of the Board's water pollution regulations (35 Ill. Adm. Code 302.203). The People allege that Core Champaign Daniel violated these provisions by causing, threatening, or allowing the discharge of contaminants into the environment so as to cause water pollution; causing or tending to cause air pollution; and creating offensive conditions.

On January 29, 2021, the People and Core Champaign Daniel 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) (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, Core Champaign Daniel admits the alleged violations and agrees to pay a civil penalty of \$17,500.

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) (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 February 4, 2021, by a vote of 4-0.

Don a. Brown

Don A. Brown, Clerk Illinois Pollution Control Board