

ILLINOIS POLLUTION CONTROL BOARD  
September 4, 2014

PEOPLE OF THE STATE OF ILLINOIS,        )  
  )  
        Complainant,                                )  
  )  
        v.   )     PCB 14-133  
  )     (Enforcement - Water)  
MUHAMMAD S. ANSARI, individually, and    )  
LAKE BLUFF PETROLEUM, INC., an            )  
Illinois corporation,                            )  
  )  
        Respondents.                             )

ORDER OF THE BOARD (by J.A. Burke):

On May 29, 2014, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a three-count complaint against Muhammad S. Ansari and Lake Bluff Petroleum, Inc. (respondents). The complaint concerns respondents’ gasoline service station at 218 North Waukegan Road in Lake Bluff, Lake County. The parties now seek to settle without a hearing. For the reasons below, the Board directs the Clerk of the Board 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 (2012)), the Attorney General may bring actions before the Board to enforce Illinois’ environmental requirements on behalf of the People. *See* 415 ILCS 5/31 (2012); 35 Ill. Adm. Code 103. In this case, the People allege that respondents violated Section 12(a), 12(d), and 12(f) of the Act (415 ILCS 5/12(a), (d), (f) (2012)) and Section 309.102(a) of the Board’s Water Pollution Regulations (35 Ill. Adm. Code 309.102(a)). The People allege that respondents violated these provisions by pumping water contaminated with gasoline from a fuel tank to a drainage ditch so as to: cause or allow water pollution (Count I); create a water pollution hazard (Count II); and discharge contaminants without a National Pollutant Discharge Elimination System permit (Count III).

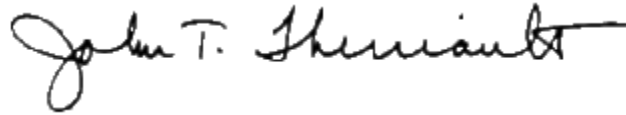
On August 15, 2014, the parties filed a stipulation and proposed settlement, accompanied by a request for relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (2012)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2012)), which requires 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 the alleged violations and agree to pay a civil penalty of \$5,000.

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) (2012); 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 September 4, 2014, by a vote of 4-0.

A handwritten signature in black ink, reading "John T. Therriault". The signature is written in a cursive style with a long horizontal stroke at the end.

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John T. Therriault, Clerk  
Illinois Pollution Control Board