## ILLINOIS POLLUTION CONTROL BOARD September 19, 2024

PEOPLE OF THE STATE OF ILLINOIS,	)
Complainant,	)
v.	) PCB 24-58 ) (Enforcement – Air)
PRESTONE PRODUCTS CORPORATION, a	· · · · · · · · · · · · · · · · · · ·
Delaware corporation,	ý
Respondent.	) )

ORDER OF THE BOARD (by J. Van Wie):

On February 26, 2024, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a one-count complaint against Prestone Products Corporation (Prestone). The complaint concerns Prestone's wiper fluid formulation facility located at 13160 South Pulaski Road in Alsip, Cook County (Site). The People and Prestone 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 (2022)), 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 (2022); 35 Ill. Adm. Code 103. In this case, the People allege that Prestone violated Section 9(a) of the Act (415 ILCS 5/9(a) (2022)) and Section 201.302(a) of the Board's Air Pollution Regulations (35 Ill. Adm. Code 201.302(a)) and Section 254.132(a) of the Illinois Environmental Protection Agency's Air Pollution Regulations (35 Ill. Adm. Code 254.132(a)) by failing to submit a timely and accurate Annual Emissions Report for calendar year 2021.

On September 16, 2024, the People and Prestone 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) (2022)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2022)), 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, Prestone does not affirmatively admit the alleged violations and agrees to pay a civil penalty of \$10,000.

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) (2022); 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 September 19, 2024, by a vote of 4-0.

Don a. Brown

Don A. Brown, Clerk Illinois Pollution Control Board