

ILLINOIS POLLUTION CONTROL BOARD  
January 23, 2025

MICHAEL LAURENZANA,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 25-27
	)	(Permit Appeal - Water)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by M. Gibson):

This matter came before the Board on a letter submitted to the Board *pro se* by Mr. Michael Laurenzana and received by the Board on November 25, 2024. In an order on December 5, 2024, the Board construed the letter, which mentions Central Commodity FS, as a petition for review of a National Pollutant Discharge Elimination System (NPDES) permit issued by the Illinois Environmental Protection Agency (IEPA). However, the Board found that the letter was deficient as a petition for review and specifically identified five deficiencies. The Board required Mr. Laurenzana to file an amended petition meeting requirements including those identified in its order. The Board stated that, “[i]f Mr. Laurenzana files an amended petition, the Board at that time will determine whether the original petition filed November 25, 2024, was timely and whether it will accept the amended petition for hearing.”

On January 6, 2025, Mr. Laurenzana timely responded with a letter addressed to the Members of the Board, which the Board construes as an amended petition (Am. Pet.).

In its December 5, 2024 order, the Board first cited its procedural rule requiring that a petition must include “[t]he Agency’s final decision or issued permit” and “[a] statement specifying the date of issuance or service of the Agency’s final decision or issued permit, as applicable under Section 105.206.” 35 Ill. Adm. Code 105.210(a), (b). The Board added that, “[w]ithout this information, the Board cannot determine whether Mr. Laurenzana’s petition was timely filed.” The amended petition includes “General NPDES Permit No. ILR10,” the General NPDES Permit for Storm Water Discharges from Construction Site Activities,” issued by IEPA on September 13, 2023. Am. Pet. at 22. The amended petition also includes a November 13, 2024 email, apparently from an IEPA representative to Mr. Laurenzana, stating that “coverage was approved on October 21st.” *Id.* at 20.

The email, however, does not indicate who was approved for coverage under the general NPDES stormwater permit. Am. Pet. at 20-21. The general NPDES stormwater permit refers to “the letter of notification of coverage” and “the Agency Notice of Permit Coverage letter” (*id.* at 25, 30), but the amended petition does not include any IEPA letter determining that Central

Commodity FS is covered by that permit. The Board is therefore still unable to determine whether Mr. Laurenzana timely filed his original petition.

The Board's December 5, 2024 order also stressed that Mr. Laurenzana, as petitioner, must name one or more respondents in his petition (*see* 35 Ill. Adm. Code 105.202(b)) and serve a copy of his petition on respondents (35 Ill. Adm. Code 101.304). The amended petition does not clearly name one or more respondents and does not include documentation of service on anyone.

Also, although the Board's December 5, 2024 order noted that the Environmental Protection Act (Act) (415 ILCS 5 (2022)) requires that the Board collect a filing fee for a petition for review of a permit, the amended petition did not include one. *See* 415 ILCS 5/7.5(a) (2022).

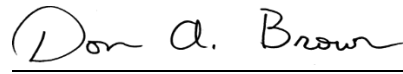
In its December 5, 2024, the Board noted that the original petition failed to make clear whether Mr. Laurenzana was appearing on his own behalf or on behalf of an organization. The Board cited its rule specifying that an individual may either represent himself or herself or appear through an attorney in a Board adjudicatory proceeding, such as a permit appeal or enforcement action, but a non-attorney is not allowed to represent an entity or other individuals. *See* 35 Ill. Adm. Code 101.400(a). The amended petition asserts that Mr. Laurenzana is "representing himself on behalf of concerned citizens." Am. Pet. at 1. However, the amended petition neither identifies the concerned citizens nor indicates whether Mr. Laurenzana is authorized to represent them as an attorney licensed and registered to practice law.

The Board did not initially dismiss this action and allowed Mr. Laurenzana to cure identified deficiencies with an amended petition. Although it has reviewed the timely amended petition, the Board finds that the deficiencies were not cured and declines to accept the amended petition. Therefore, the Board dismisses this case and closes the docket.

However, the Board recognizes that the amended petition seeks to serve as "documentation of a pattern of non-compliant activities" (Am. Pet. at 1), cites various legal authorities, and states that a facility violated the Clean Water Act. If Mr. Laurenzana wishes to file with the Board a citizen's complaint alleging that one or more entities or individuals has violated the Act, the Board's regulations, or a permit issued under the Act, he may do so. The Board's website ([pcb.illinois.gov](http://pcb.illinois.gov)) provides information on how to both file a complaint with the Board and serve a copy of the complaint on a respondent or respondents. A citizen's complaint must comply with the applicable requirements of the Act and the Board's procedural rules. *See* 415 ILCS 5/31(d)(1) (2022); 35 Ill. Adm. Code 103.

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 23, 2025, by a vote of 5-0.

A handwritten signature in cursive script that reads "Don A. Brown". The signature is written in black ink and is positioned above a horizontal line.

Don A. Brown, Clerk  
Illinois Pollution Control Board