

ILLINOIS POLLUTION CONTROL BOARD  
April 17, 2025

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
Complainant, )  
)  
v. ) PCB 25-51  
) (Enforcement - Water)  
GOULD TRANSPORTATION SERVICES, )  
INC., an Illinois corporation, d/b/a GOULD )  
BUS SERVICES, an unincorporated entity, )  
)  
Respondent. )

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

On February 27, 2025, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a two-count complaint against Gould Transportation Services d/b/a Gould Bus Services (Gould). The complaint concerns Gould’s school bus transportation and storage businesses located at 400 South Washington Street in Tuscola, Douglas County, and at 216 Byron Street in Oakland, Coles County. The parties now seek to settle without a hearing. For the reasons below, the Board accepts the parties’ stipulation and proposed settlement.

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 Gould violated Sections 12(a) and 12(f) of the Act (415 ILCS 5/12(a), 12(f) (2022)) and Section 309.102(a) of the Board’s water pollution regulations (35 Ill. Adm. Code 309.102(a)).

The People allege that Gould violated these provisions by causing, threatening, or allowing the discharge of contaminants into the environment so as to cause or tend to cause water pollution in Illinois; causing, threatening, or allowing the discharge of stormwater associated with industrial activity so as to violate Board rules; causing, threatening or allowing the discharge of stormwater associated with industrial activity into waters of the State without a National Pollutant Discharge Elimination System (NPDES) permit; discharging contaminants into waters of the State in violation of the Act; and causing, threatening, or allowing the discharge of stormwater associated with industrial activity into waters of the State in violation of the Board’s NPDES rules.

On February 27, 2025, the People and Gould 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). The Board provided notice of the stipulation, proposed settlement, and request for relief. The newspaper notice was published in *The County Chronicle* of Arthur, Illinois on March 12, 2025, and in the *Oakland Independent* of Coles, Illinois on March 13, 2025. The Board did not receive any requests for hearing. The Board grants the parties' request for relief from the hearing requirement. *See* 415 ILCS 5/31(c)(2) (2022); 35 Ill. Adm. Code 103.300(b).

Section 103.302 of the Board's procedural rules sets forth the required contents of stipulations and proposed settlements. *See* 35 Ill. Adm. Code 103.302. These requirements include stipulating to facts on the nature, extent, and causes of the alleged violations and the nature of Gould's operations. Section 103.302 also requires that the parties stipulate to facts called for by Section 33(c) of the Act (415 ILCS 5/33(c) (2022)), which bears on the reasonableness of the circumstances surrounding the alleged violations. Gould does not affirmatively admit the alleged violations. The stipulation also addresses the factors of Section 42(h) of the Act (415 ILCS 5/42(h) (2022)), which may mitigate or aggravate the civil penalty amount. Under the proposed settlement, Gould agrees to pay a civil penalty of \$13,600 within 30 days after the date of this order. The People and Gould have satisfied Section 103.302. The Board accepts the stipulation and proposed settlement.

This opinion constitutes the Board's findings of fact and conclusions of law.

### **ORDER**

1. The Board accepts and incorporates by reference the stipulation and proposed settlement.
2. Gould must pay a civil penalty of \$13,600 no later than Monday, May 19, 2025, which is the first business day following the 30th day after the date of this order. Gould must pay the civil penalty by certified check or money order payable to the Illinois Environmental Protection Agency for deposit into the Environmental Protection Trust Fund. The case name and case number must appear on the certified check or money order.
3. Gould must submit payment of the civil penalty to:

Illinois Environmental Protection Agency  
Fiscal Services Division  
2520 West Iles Avenue  
P.O. Box 19276  
Springfield, Illinois 62794-9276

Gould must send a copy of the certified check or money order to:

Kevin D. Barnai, Assistant Attorney General  
Environmental Bureau  
Illinois Attorney General's Office

500 South 2nd Street  
Springfield, Illinois 62701

4. Penalties unpaid within the time prescribed will accrue interest under Section 42(g) of the Environmental Protection Act (415 ILCS 5/42(g) (2022)) at the rate set forth in Section 1003(a) of the Illinois Income Tax Act (35 ILCS 5/1003(a) (2022)).
5. Gould must cease and desist from future violations of the Environmental Protection Act and Board regulations that were the subject of the complaint.

IT IS SO ORDERED.

Section 41(a) of the Environmental Protection Act provides that final Board orders may be appealed directly to the Illinois Appellate Court within 35 days after the Board serves the order. 415 ILCS 5/41(a) (2022); *see also* 35 Ill. Adm. Code 101.300(d)(2), 101.906, 102.706. Illinois Supreme Court Rule 335 establishes filing requirements that apply when the Illinois Appellate Court, by statute, directly reviews administrative orders. 172 Ill. 2d R. 335. The Board's procedural rules provide that motions for the Board to reconsider or modify its final orders may be filed with the Board within 35 days after the order is received. 35 Ill. Adm. Code 101.520; *see also* 35 Ill. Adm. Code 101.902, 102.700, 102.702. Filing a motion asking that the Board reconsider this final order is not a prerequisite to appealing the order. 35 Ill. Adm. Code 101.902.

<b>Names and Addresses for Receiving Service of Any Petition for Review Filed with the Appellate Court</b>	
<b>Parties</b>	<b>Board</b>
Illinois Attorney General's Office Attn.: Kevin D. Barnai, Asst. Atty. General Environmental Bureau 500 South 2nd Street Springfield, Illinois 62701 <a href="mailto:kevin.barnai@ilag.gov">kevin.barnai@ilag.gov</a>	Illinois Pollution Control Board Attn: Don A. Brown, Clerk 60 East Van Buren Street, Suite 630 Chicago, Illinois 60601 <a href="mailto:don.brown@illinois.gov">don.brown@illinois.gov</a>
Gould Transportation Services, Inc., d/b/a Gould Bus Services Attn.: Matt C. Deering, Registered Agent 306 West Church Street Champaign, Illinois 61820	
Gould Transportation Services, Inc., d/b/a Gould Bus Services Attn.: Ryan S. Gould, President	

P.O. Box 470 Tuscola, Illinois 61953	
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I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above opinion and order on April 17, 2025, by a vote of 5-0.

Don A. Brown

Don A. Brown, Clerk  
Illinois Pollution Control Board