

ILLINOIS POLLUTION CONTROL BOARD
January 8, 2026

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 24-67
) (Enforcement - Air, Land, RCRA)
TITAN INDUSTRIES, INC., an Illinois)
corporation, d/b/a MACKINAW VALLEY)
POWDER COATING; and MR REAL)
PROPERTIES, LLC, and Illinois limited)
liability company,)
)
Respondents.)

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

On April 18, 2024, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a six-count complaint against Titan Industries, Inc. d/b/a Mackinaw Valley Powder Coating (Titan/MVPC) and MR Real Properties, LLC (MRP) (collectively, Respondents). The complaint concerns the powder coating facility operated by Titan/MVPC on property owned by MRP located at 300 North Main Street in Mackinaw, Tazewell 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 (2024)), the Attorney General and the State's Attorneys may bring actions before the Board on behalf of the People to enforce Illinois' environmental requirements. *See* 415 ILCS 5/31 (2024); 35 Ill. Adm. Code 103. In this case, the People allege that Titan/MVPC and MRP violated Sections 21(a), (d)(1), (f)(1)-(2), and (p)(1) of the Act (415 ILCS 5/21(a), (d)(1), (f)(1)-(2), (p)(1) (2024)), and Sections 703.121, 722.111, and 808.121(a) of the Board's regulations (35 Ill. Adm. Code 703.121, 722.111, 808.121(a)), by conducting sandblasting operations in an open-sided outdoor grain bin at the facility, causing fugitive dust and sandblasting media to be discharged onto the ground, and by allegedly conducting waste-disposal and hazardous waste-storage operations without the required Illinois Environmental Protection Agency (IEPA) or Resource Conservation and Recovery Act (RCRA) permits. The People further allege that Titan/MVPC failed to determine whether certain waste was hazardous or special waste. As a result, Respondents allegedly caused or allowed open dumping, litter, disposal at a non-permitted site, and emissions of contaminants into the air.

On November 12, 2025, the People and Respondents 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) (2024)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2024)), 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 *Peoria Journal Star* on November 30, 2025.¹ 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) (2024); 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 Titan/MVPC's and MRP'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) (2024)), which bears on the reasonableness of the circumstances surrounding the alleged violations. Titan/MVPC and MRP do not affirmatively admit the alleged violations. The stipulation also addresses the factors of Section 42(h) of the Act (415 ILCS 5/42(h) (2024)), which may mitigate or aggravate the civil penalty amount. Under the proposed settlement, Titan/MVPC and MRP agree to jointly and severally pay a civil penalty of \$25,000 within 30 days after the date of this order. The People and Titan/MVPC and MRP 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. Titan/MVPC and MRP must jointly and severally pay a civil penalty of \$25,000 no later than February 9, 2026, which is the first business day following the 30th day after the date of this order. Titan/MVPC and MRP 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. Titan/MVPC and MRP must submit payment of the civil penalty to:

Illinois Environmental Protection Agency
Fiscal Services
2520 W. Iles Avenue
P.O. Box 19276

¹ On November 23, 2025, a notice of proposed stipulation, proposal for settlement, and request for relief was published in the *Peoria Journal Star* that referenced PCB 24-67 but misidentified the names of the respondents. The notice published on November 30, 2025, correctly identifies Titan/MVPC and MRP as the respondents in this matter, and so the Board accepts November 30, 2025, as the date of notice publication.

Springfield, Illinois 62794-9276

Titan/MVPC and MRP must send a copy of the certified check or money order and any transmittal letter to:

Bridget Flynn
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) (2024)) at the rate set forth in Section 1003(a) of the Illinois Income Tax Act (35 ILCS 5/1003(a) (2024)).
5. Titan/MVPC and MRP 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) (2024); *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.

Names and Addresses for Receiving Service of Any Petition for Review Filed with the Appellate Court	
Parties	Board
Segel & Segel P.C. Attn: Donald H. Segel and Jacqueline Duran 525 W. Monroe St., Ste. 2360 Chicago, IL 60661 dsegel@sandslegal.com jduran@sandslegal.com	Illinois Pollution Control Board Attn: Don A. Brown, Clerk 60 E. Van Buren St., Suite 630 Chicago, Illinois 60605 don.brown@illinois.gov
Office of the Illinois Attorney General Attn: Bridget I. Flynn 500 South 2 nd Street Springfield, IL 62701 bridget.flynn@ilag.gov	

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above opinion and order on January 8, 2026, by a vote of 4-0.



Don A. Brown, Clerk
 Illinois Pollution Control Board