

ILLINOIS POLLUTION CONTROL BOARD

July 23, 2026

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 26-53
	)	(Enforcement - Air)
RANDY PETER AND DEBRA PETER,	)	
	)	
Respondent.	)	

OPINION AND ORDER OF THE BOARD (by M. Gibson):

On April 14, 2026, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a 16-count complaint against Randy Peter and Debra Peter (Respondents). The complaint concerns two parcels of property owned by Respondents located at 1457 N. 1363rd Lane and 1333 E. 1500th Street, both in Quincy, Adams 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 Respondents violated the following provisions of the Act and Board regulations, and the following provisions of the Consumer Electronics Recycling Act (CERA) (415 ILCS 151/1-83 (2024)):

- Count I: Open Dumping (415 ILCS 5/21(a) (2024));
- Count II: Open Dumping Resulting in Litter (415 ILCS 5/21(p)(l) (2024));
- Count III: Open Dumping of General Construction or Demolition Debris (415 ILCS 21(p)(7)(i) (2024));
- Count IV: Waste Disposal at an Improper Site (415 ILCS 5/21(e) (2024));
- Count V: Open Dumping of Used or Waste Tires (415 ILCS 5/55(a)(1) (2024));
- Count VI: Open Burning of Used or Waste Tires (415 ILCS 5/55(a)(2) (2024));
- Count VII: Accumulation of Water in Used or Waste Tires (415 ILCS 5/55(k)(1) (2024));

- Count VIII: Waste Determination Violations (415 ILCS 5/21(e) (2024)); 35 Ill. Adm. Code 722.111, 739.122(c) and 808.121 (a));
- Count IX: Air Pollution - Open Burning (415 ILCS 5/9(a) and (c) (2024));
- Count X: Open Dumping Resulting in Open Burning (415 ILCS 5/21(p)(3) (2024));
- Count XI: Mixing of a Covered Electronic Device (CED) with Waste Intended for Disposal by Burning (415 ILCS 151/1-83(c) (2024));
- Count XII: Cause or Allow the Burning or Incineration of a CED or Other Listed Device (415 ILCS 151/1-83(d) (2024));
- Count XIII: Open Dumping Resulting in Standing or Flowing Liquid Discharge from the Dump Site (415 ILCS 5/21(p)(6) (2024));
- Count XIV: Open Dumping of Waste in Standing Waters (415 ILCS 5/21(p)(4) (2024));
- Count XV: Water Pollution (415 ILCS 5/12(a) (2024)); and
- Count XVI: Water Pollution Hazard (415 ILCS 5/12(d) (2024)).

On June 10, 2026, 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 *Herald-Whig* on June 24, 2026. 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 Respondents' 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. Respondents 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, Respondents agree to pay a civil penalty of \$15,000 within 30 days after the date of this order¹. The People and Respondents 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. Respondents must pay a civil penalty of \$15,000 no later than August 24, 2026, which is the first business day following the 30th day after the date of this order. Respondents 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. Respondents must submit payment of the civil penalty to:

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

Respondents must send a copy of the certified check or money order and any transmittal letter to:

Mallory Meade
Assistant Attorney General
Environmental Bureau South
Illinois Attorney General's Office
500 South Second Street
Springfield, Illinois 62701

¹ The parties' stipulation and settlement includes the admission of violation for two counts under CERA, 415 ILCS 151/1-83(c) and (d) (2024). The Board recognizes that the agreement is between the parties, and the parties can agree to provisions that they see fit in negotiating a settlement. However, the Board notes that it does not have independent authority under the Act to make a finding of violation on the CERA provisions. As an administrative agency, the Board is a "creature of statute, and therefore has only the authority given to it by the Act." *People v. Felker Pharmacy et al*, PCB 08-17 (Dec. 18, 2008) (quoting *Granite City Div. of Nat. Steel Co. v. PCB*, 155 Ill. 2d 149, 171, 613 N.E.2d 719, 729 (1993)).

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. Respondents 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
Office of the Illinois Attorney General Attn: Mallory Meade, AAG 500 South Second Street Springfield, Illinois 62706 Mallory.meade@ilag.gov	Illinois Pollution Control Board Attn: Don A. Brown, Clerk 60 E. Van Buren Street, Suite 630 Chicago, Illinois 60605 Don.brown@illinois.gov
Randy Peter and Debra Peter 1333 E. 1500 th Street Quincy, Illinois 62305	

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above opinion and order on July 23, 2026, by a vote of 4-0.



Don A. Brown, Clerk
Illinois Pollution Control Board