

ILLINOIS POLLUTION CONTROL BOARD
March 17, 2022

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 22-49
) (Enforcement – Land, Water)
REID’S SERVICE CENTER, INC., an Illinois)
corporation, REID M. LARSON TRUST,)
BARBARA S. LARSON TRUST, and REID)
M. LARSON, as trustee of REID M. LARSON)
TRUST,)
)
Respondents.)

ORDER OF THE BOARD (by B.F. Currie):

On March 4, 2022, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a 12-count complaint against Reid’s Service Center, Inc., Reid M. Larson Trust, Barbara S. Larson Trust, and Reid M. Larson, as trustee of Reid M. Larson Trust (Respondents). The complaint concerns the Respondents’ property located at 7123 Kickapoo-Edwards Road, in Edwards, Peoria County. Accompanying the complaint was a stipulation, proposal for settlement, and request for relief from the hearing requirement. The parties therefore seek to settle the complaint without a hearing. For the reasons below, the Board accepts the complaint and directs the Clerk to provide public notice of the stipulation, proposed settlement, and request for hearing relief.

Under the Environmental Protection Act (Act) (415 ILCS 5 (2020)), 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 (2020); 35 Ill. Adm. Code 103. In this case, the People allege that the Respondents violated the following provisions of the Act and Board regulations:

- Count I: Open Dumping of Waste
Section 21(a) of the Act, 415 ILCS 5/21(a) (2020).
- Count II: Open Dumping Resulting in Litter
Section 21(p)(l) of the Act, 415 ILCS 5/21(p)(l) (2020).
- Count III: Conducting a Waste-Disposal Operation Without a Permit
Section 21(d)(l) of the Act, 415 ILCS 5/21(d)(l) and (5) (2020).
- Count IV: Open Dumping of Used or Waste Tires
Section 55(a)(l) and (5) of the Act, 415 ILCS 5/55(a)(l) and (5) (2020).

- Count V: Accumulation of Water in Used and Waste Tires
Section 55(a)(3) and (k)(l) of the Act, 415 ILCS 5/55(a)(3) and (k)(l) (2020).
- Count VI: Failure to Remove Used Tires Within 90 Days
Section 55.8(b) of the Act, 415 ILCS 5/55.8(b).
- Count VII: Water Pollution
Section 12(a) of the Act, 415 ILCS 5/12(a) (2020).
- Count VIII: Water Pollution Hazard
Section 12(d) of the Act, 415 ILCS 5/12(d) (2020).
- Count IX: Open Dumping Resulting in Standing or Flowing Liquid Discharge from the Dump Site
Section 21(p)(6) of the Act, 415 ILCS 5/21(p)(6) (2020).
- Count X: Failure to Store Used Oil in Proper Containers
Section 21(e) of the Act, 415 ILCS 5/21(e) (2020), and Section 739.122(b) of the Board regulations, 35 Ill. Adm. Code 739.122(b).
- Count XI: Failure to Store Used Oil in Marked Containers
Section 21(e) of the Act, 415 ILCS 5/21(e) (2020), and Section 739.122(c)(1) of the Board regulations, 35 Ill. Adm. Code 739.122(c)(1).
- Count XII: Failure to Respond to Used Oil Release
Section 21(e) of the Act, 415 ILCS 5/21(e) (2020), and Section 739.122(d) of the Board regulations, 35 Ill. Adm. Code 739.122(d).

The Board finds that the complaint meets the applicable content requirements of the Board's procedural rules and accepts the complaint. *See* 35 Ill. Adm. Code 103.204(c).

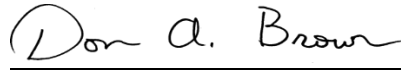
On March 4, 2022, simultaneously with the People's complaint, the People and Respondents filed a stipulation and proposed settlement, accompanied by a request for relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (2020)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2020)), 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, the Respondents admit the alleged violations and agrees to pay a civil penalty of \$12,000.

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) (2020); 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 March 17, 2022, 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