

ILLINOIS POLLUTION CONTROL BOARD
October 17, 2024

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| PEOPLE OF THE STATE OF ILLINOIS, |) | |
| |) | |
| Complainant, |) | |
| |) | |
| v. |) | PCB 24-17 |
| |) | (Enforcement - Land) |
| CRYSTAL COLD, LLC, an Illinois |) | |
| corporation, |) | |
| |) | |
| Respondent. |) | |

ORDER OF THE BOARD (by M.D. Mankowski):

On August 31, 2023, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a two-count complaint against Crystal Cold, LLC (Crystal Cold). The complaint concerns Crystal Cold's refrigeration business located in Douglas County. The parties now seek to settle without a hearing. For the reasons below, the Board directs the Clerk to provide public notice of the parties' stipulation, proposed settlement, and request for relief from the hearing requirement.

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 Crystal Cold violated Sections 21(f)(1) and (f)(2) of the Act (415 ILCS 5/21(f)(1), (f)(2) (2022)), Section 703.121 of the Board's Resource Conservation and Recovery Act (RCRA) Permit Program Regulations (35 Ill. Adm. Code 703.121), and Section 722.111 of the Board's Hazardous Waste Operating Requirements (35 Ill. Adm. Code 722.111). According to the complaint, respondents violated these provisions by conducting a hazardous waste storage operation for an ammonia solution without a RCRA permit, and by failing to conduct a hazardous waste determination of the used solvent.

On October 3, 2024, the People and Crystal Cold 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). Under the proposed stipulation, Crystal Cold admits to the alleged violations and agrees to pay a civil penalty of \$25,000.

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) (2022); 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 October 17, 2024, by a vote of 4-0.

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

Don A. Brown, Clerk
Illinois Pollution Control Board