

ILLINOIS POLLUTION CONTROL BOARD

January 9, 2025

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 24-52
)	(Enforcement - Land)
CLEAN CUT LAWN CARE, an Illinois)	
limited liability company,)	
)	
Respondent.)	

ORDER OF THE BOARD (by M. Gibson):

On January 31, 2024, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a seven-count complaint against Clean Cut Lawn Care, LLC (Clean Cut). The complaint concerns Clean Cut's lawn care and landscaping business located at 93 North 5000 Road W and its clean construction or demolition debris recycling facility located at 222 South 5000W Road, both in Limestone Township, Kankakee 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 Clean Cut violated Sections 9(c), 21(a), 21(d)(1), 21(e), 21(p)(1), 21(p)(3), and 21(q) of the Act (415 ILCS 5/9(c), 21(a), 21(d)(1), 21(e), 21(p)(1), 21(p)(3), 21(q) (2022)) by allowing the consolidation of waste at its facility not meeting the requirements of a sanitary landfill and therefore causing or allowing the open dumping of waste; causing or allowing the open dumping of waste resulting in litter and open burning of waste; conducting a waste-disposal operation without a permit from the Illinois Environmental Protection Agency (IEPA); disposing of or abandoning waste at a site not permitted for waste disposal by IEPA; conducting a landscape waste composting operation without having applied for and obtained a permit from IEPA; and causing or allowing the open burning of waste.

On December 17, 2024, the People and Clean Cut 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, Clean Cut does not affirmatively admit the alleged violations and agrees to pay a civil penalty of \$15,000.

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. 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 January 9, 2025, by a vote of 5-0.

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