



The People allege in Count III that SE Transport violated these provisions by failing to conduct inspections of the facility where hazardous waste was stored; failing to maintain its facility so as to minimize the possibility of an unplanned release of the hazardous waste or hazardous waste constituents; failing to maintain aisle space in trailers where hazardous waste was stored; failing to transfer hazardous waste from containers that were in poor condition to containers that were in good condition; storing hazardous waste in a container that was not closed; failing to conduct weekly inspections of area where hazardous waste was stored to look for leaking or deteriorated containers; and storing hazardous waste in drums and boxes that did not have labels and/or accumulation start dates on the container.

The People allege in Count IV that SE Transport violated these provisions by failing to maintain a written closure plan for its facility; failing to maintain a detailed written estimate of the cost of closing its facility; and failing to maintain documentation of financial assurance for closure of its facility.

On September 10, 2019, the People and SE Transport 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) (2018)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2018)), 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, SE Transport does not affirmatively admit the alleged violations and agrees to pay a civil penalty of \$400.

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) (2010); 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 September 19, 2019 by a vote of 4-0.



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Don A. Brown, Clerk  
Illinois Pollution Control Board