

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

**PEOPLE OF THE STATE OF ILLINOIS,** )  
**by KWAME RAOUL, Attorney General** )  
**of the State of Illinois,** )  
) )  
**Complainant,** )  
) )  
**v.** )  
) )  
**CITY OF MOUNT CARMEL,** )  
**an Illinois municipal corporation,** )  
) )  
**Respondent.** )

**PCB No. 2021-48**

**NOTICE OF FILING**

TO: See attached service list (VIA ELECTRONIC FILING)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board by electronic filing the following Notice of Filing, Motion for Relief from Hearing Requirements and Certificate of Service.

Failure to file an answer to this complaint within 60 days may have severe consequences. Failure to answer will mean that all allegations in the complaint will be taken as if admitted for purposes of this proceeding. If you have any questions about this procedure, you should contact the hearing officer assigned to this proceeding, the clerk's office, or an attorney.

NOTIFICATION - YOU ARE HEREBY NOTIFIED that financing may be available through the Illinois Environmental Facilities Financing Act [20 ILCS 3515/1, et seq.] to correct the alleged violations.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,  
KWAME RAOUL, Attorney General of the  
State of Illinois

By: s/Brian Navarrete  
Brian Navarrete  
Assistant Attorney General  
Environmental Bureau  
Illinois Attorney General's Office  
500 S. Second Street  
Springfield, IL 62701  
bnavarrete@atg.state.il.us

Date: February 17, 2021

**THIS FILING IS SUBMITTED ON RECYCLED PAPER**

**Service List**

For the Respondent

City Of Mount Carmel  
Attn: Mayor Joe Judge  
631 North Market St.  
Mount Carmel, IL 62863  
[rudyw@cityofmtcarmel.com](mailto:rudyw@cityofmtcarmel.com)

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**PEOPLE OF THE STATE OF ILLINOIS,** )  
**by KWAME RAOUL, Attorney General** )  
**of the State of Illinois,** )

**Complainant,** )

**v.** )

**PCB No. 2021 - 48**

**CITY OF MOUNT CARMEL,** )  
**an Illinois municipal corporation,** )

**Respondent.** )

**MOTION FOR RELIEF FROM HEARING REQUIREMENT**

NOW COMES Complainant, PEOPLE OF THE STATE OF ILLINOIS, by KWAME RAOUL, Attorney General of the State of Illinois, and pursuant to Section 31(c)(2) of the Illinois Environmental Protection Act (“Act”), 415 ILCS 5/31(c)(2) (2018), moves that the Illinois Pollution Control Board (“Board”) grant the parties in the above-captioned matter relief from the hearing requirement imposed by Section 31(c)(1) of the Act, 415 ILCS 5/31(c)(1) (2018). In support of this motion, Complainant states as follows:

1. The Complaint in this matter alleges violations of Sections Section 12(f) of the Act, 415 ILCS 5/12(f) (2018), Sections 309.102(a) and Section 309.104(a) of the Board’s Water Pollution Regulations 35 Ill. Adm. Code 309.102(a) and Section 309.104(a), and Special Conditions 6, 12, and 15 of the NPDES Permit.

2. Complainant and a Stipulation and Proposal for Settlement was filed with the Board on December 30, 2020.

3. The parties have reached agreement on all outstanding issues in this matter.

4. This agreement is presented to the Board in a Stipulation and Proposal for Settlement filed on December 30, 2020.

5. All parties agree that a hearing on the Stipulation and Proposal for Settlement is not necessary, and respectfully request relief from such a hearing as allowed by Section 31(c)(2) of the Act, 415 ILCS 5/31(c)(2) (2018).

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, hereby requests that the Board grant this motion for relief from the hearing requirement set forth in Section 31(c)(1) of the Act, 415 ILCS 5/31(c)(1) (2018).

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,  
KWAME Raoul, Attorney General  
State of Illinois

BY: s/Brian M. Navarrete  
Brian M. Navarrete  
Assistant Attorney General  
Environmental Bureau  
Illinois Attorney General's Office  
500 South Second Street  
Springfield, Illinois 62701  
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bnavarrete@atg.state.il.us  
ebs@atg.state.il.us

DATE: February 17, 2021

**CERTIFICATE OF SERVICE**

I, Brian Navarrete, an Assistant Attorney General, certify that on the 17th day of February, 2021, I caused to be served by electronic mail the foregoing Notice of Filing, Motion for Relief from Hearing Requirements and Certificate of Service to the parties named on the attached Service List.

City Of Mount Carmel  
Attn: Mayor Joe Judge  
631 North Market St.  
Mount Carmel, IL 62863  
[rudyw@cityofmtcarmel.com](mailto:rudyw@cityofmtcarmel.com)

s/Brian Navarrete  
Brian Navarrete  
Assistant Attorney General  
Environmental Bureau  
Illinois Attorney General's Office  
500 South Second Street  
Springfield, IL 62701