

ILLINOIS POLLUTION CONTROL BOARD

May 3, 2001

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 97-178
)	(Enforcement – Water)
WILLIAM C. BIGGER, JOSEPH G.)	
BIGGER, and BIGGER FAMILY, LTD.,)	
)	
Respondents.)	

ORDER OF THE BOARD (by C.A. Manning):

On April 7, 1997, the People of the State of Illinois (People) filed a five-count complaint against respondents William C. Bigger, Joseph G. Bigger and Bigger Family Ltd. The complaint alleges that the respondents caused or allowed water pollution, offensive discharges and conditions, ammonia nitrogen standard violations, National Pollutant Discharge Elimination System permit violations, and livestock management facility runoff and discharge violations at three feedlots located southeast of Oquawka, Rozetta Township, Henderson County, Illinois. These activities were in alleged violation of Sections 12(a), (d), and (f) of the Environmental Protection Act (Act) (415 ILCS 5/12(a), (d), (f) (1998)), and the Board's water pollution regulations at 35 Ill. Adm. Code 302.203, 302.212, 309.102(a), and 502.101.

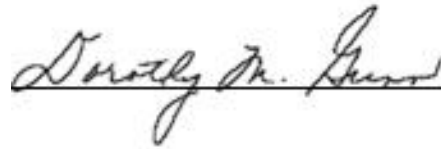
On April 27, 2001, the parties filed a stipulation and proposal for settlement, accompanied by a motion requesting relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (1998)). Respondents admit the violations alleged in the complaint and propose to pay a \$5,000 penalty.

Pursuant to Section 31(c)(2) of the Act, the complainant may file with the Board a stipulation and proposal for settlement accompanied by a request for relief from the hearing requirement. 415 ILCS 5/31(c)(2) (1998). Unless the Board determines that a hearing is needed, the Board is required to publish notice of the stipulation and proposal for settlement and request for relief from the hearing requirement.

Accordingly, the Board directs the Clerk of the Board to cause publication of the required newspaper notice. Any person may file a written demand for hearing within 21 days of the published notice. If a hearing is requested, the Board will deny the parties' request for relief and schedule a hearing.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 3rd day of May 2001 by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board