

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
by LISA MADIGAN, Attorney)	
General of the State of Illinois,)	
)	
Complainant,)	
)	
v.)	PCB No. 13-
)	(Enforcement - Water)
CITY OF GALVA, an Illinois)	
municipal corporation,)	
Respondent.)	

NOTICE OF ELECTRONIC FILING

To: **Via Certified Mail**
 City of Galva
 c/o Rich Nordstrom, Mayor
 311 N.W. 4th Avenue
 Galva, Illinois 61434

Via Certified Mail
 William D. Ingersoll, Esq.
 Brown, Hay & Stephens, LLP
 205 S. Fifth Street, Suite 700
 Springfield, IL 62705

PLEASE TAKE NOTICE that on May 3, 2013, the Complainant filed with the Office of the Clerk of the Pollution Control Board by electronic filing the Complaint, Stipulation and Proposal for Settlement and Motion for Relief from Hearing Requirement, copies of which are attached and hereby served upon you. Financing may be available, through the Illinois Environmental Facilities Financing Act, to correct the violations alleged in the Complaint.

PEOPLE OF THE STATE OF ILLINOIS,
ex rel. LISA MADIGAN, Attorney General
 of the State of Illinois

By: 
 Kathryn A. Pamerter
 Assistant Attorney General
 Environmental Bureau
 69 W. Washington St., 18th Floor
 Chicago, IL 60602
 (312) 814-0608

DATE: May 3, 2013

3. At all times relevant to this Complaint, the CITY OF GALVA ("Galva") is and has been a municipal corporation duly organized and existing under the laws of the State of Illinois.

4. Galva has a population of approximately 2,500 citizens and is located in Henry County, Illinois. Galva treats and discharges wastewater through two separate wastewater treatment plants.

5. Galva's Northeast wastewater treatment plant, that is the subject matter of this Complaint, is located at 523 North East 9th Street, Galva, Henry County, Illinois (the "Galva WWTP") and discharges treated wastewater to an unnamed branch of the Edwards River pursuant to National Pollutant Discharge Elimination System Permit No. IL0026344 (the "NPDES Permit").

6. Galva's NPDES Permit expired on August 31, 2009. However, its terms have been administratively continued because Galva timely submitted to the Illinois EPA its renewal application more than 180 days prior to expiration of the permit.

7. A Person (as defined below) intending to discharge landfill leachate at the Galva WWTP is required to submit an Application for Permit or Construction Approval to the Illinois EPA (a "Permit Application") and obtain an operating permit from the Illinois EPA authorizing any such discharge. As part of the Permit Application, Galva is required to certify that "the waste treatment plant to which this project will be tributary has adequate reserve capacity to treat the wastewater that will be added by this project without causing a violation of the Environmental Protection Act or Subtitle C, Chapter 1" (the "Certification").

8. Prior to May 4, 2011, Galva had not executed any Certification regarding any disposal of landfill leachate by Atkinson Landfill Co. ("ALC") at the Galva WWTP.

9. Illinois EPA reviewed Hazardous Waste Manifest records that Galva maintained. Between May 4, 2011 and June 16, 2011, Galva accepted a total of 202,750 gallons of landfill leachate from ALC at the Galva WWTP:

<u>Manifest No.</u>	<u>Date</u>	<u>Amount</u>	<u>Manifest No.</u>	<u>Date</u>	<u>Amount</u>
006301439	5/4/11	3,000 gallons	006301497	6/1/11	5,000 gallons
006301441	5/5/11	6,000 gallons	006301498	6/1/11	5,000 gallons
006301442	5/4/11	3,750 gallons	006301878	6/2/11	5,000 gallons
006301443	5/5/11	5,000 gallons	006301879	6/2/11	5,000 gallons
006301444	5/7/11	5,000 gallons	006301880	6/3/11	5,000 gallons
006301445	5/6/11	5,000 gallons	006301882	6/3/11	5,000 gallons
006301446	5/6/11	5,000 gallons	006301886	6/4/11	5,000 gallons
006301447	5/9/11	5,000 gallons	006301887	6/4/11	5,000 gallons
006301453	5/6/11	5,000 gallons	006301888	6/6/11	5,000 gallons
006301454	5/7/11	5,000 gallons	006301889	6/6/11	5,000 gallons
006301455	5/9/11	5,000 gallons	006301893	6/6/11	5,000 gallons
006301459	5/9/11	5,000 gallons	006301897	6/7/11	5,000 gallons
006301473	5/17/11	5,000 gallons	006301898	6/7/11	5,000 gallons
006301474	5/17/11	5,000 gallons	006301899	6/7/11	5,000 gallons
006301475	5/17/11	5,000 gallons	006301903	6/8/11	5,000 gallons
006301478	5/18/11	5,000 gallons	006301904	6/8/11	5,000 gallons
006301479	5/18/11	5,000 gallons	006301905	6/8/11	5,000 gallons
006301480	5/18/11	5,000 gallons	006301909	6/13/11	5,000 gallons
006301495	5/28/11	5,000 gallons	006301910	6/13/11	5,000 gallons
006301496	5/28/11	5,000 gallons	006301911	6/16/11	5,000 gallons
			006301917	6/16/11	5,000 gallons

10. Galva accepted the landfill leachate in May and June 2011 even though it knew ALC had not obtained a permit from the Illinois EPA authorizing the disposal of landfill leachate at the Galva WWTP, and knowing that Galva had not executed a Certification for any ALC Application.

11. Sometime in June 2011, and on a date better known to Galva, Galva stopped accepting landfill leachate from ALC.

12. On December 22, 2011, the Illinois EPA issued Permit No. 2011-EP-2351 to ALC authorizing the disposal of landfill leachate at the Galva WWTP thereafter.

13. Section 12(a) of the Act, 415 ILCS 5/12(a) (2012), provides as follows:

No person shall:

(a) Cause or threaten or allow the discharge of any contaminants into the environment in any State so as to cause or tend to cause water pollution in Illinois, either alone or in combination with matter from other sources, or so as to violate regulations or standards adopted by the Pollution Control Board under this Act.

14. Section 3.315 of the Act, 415 ILCS 5/3.315 (2012), provides as follows:

“PERSON” is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, state agency, or any other legal entity, or their legal representative, agent or assigns.

15. Galva, an Illinois municipal corporation, is a “person,” as that term is defined in Section 3.315 of the Act, 415 ILCS 5/3.315 (2012).

16. Section 3.550 of the Act, 415 ILCS 5/3.550 (2012), provides as follows:

“WATERS” means all accumulations of water, surface and underground, natural and artificial, public and private, or parts thereof, which are wholly or partially within, flow through, or border upon this State.

17. The Edwards River constitutes “waters” of the State of Illinois, as that term is defined by Section 3.550 of the Act, 415 ILCS 5/3.550 (2012).

18. Section 3.165 of the Act, 415 ILCS 5/3.165 (2012), provides as follows:

“CONTAMINANT” is any solid, liquid, or gaseous matter, any odor, or any form of energy, from whatever source.

19. The leachate generated at the ALC landfill and disposed of at the Galva WWTP is a “contaminant” as that term is defined by Section 3.165 of the Act, 415 ILCS 5/3.165 (2012).

20. Section 3.545 of the Act, 415 ILCS 5/3.545 (2012), provides as follows:

“WATER POLLUTION” is such alteration of the physical, thermal, chemical, biological or radioactive properties of any waters of the State, or such discharge of any contaminant into any waters of the State, as will or is likely to create a nuisance or render such waters harmful or detrimental or injurious to public health, safety or welfare, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate uses, or to livestock, wild animals, birds, fish, or other aquatic life.

21. Accepting unpermitted landfill leachate may cause serious harm to the Galva WWTP by upsetting the treatment process, interfering with the normal operations of the treatment plant and allowing landfill leachate to pass through the treatment plant untreated.

22. Leachate generated by landfills passing through the Galva WWTF untreated into the Edwards River is likely to create a nuisance or render such waters harmful or detrimental or injurious to public health, safety or welfare, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate uses, or to livestock, wild animals, birds, fish, or other aquatic life.

23. By accepting landfill leachate from ALC in May and June 2011 without having certified that it had adequate capacity to accept and treat the leachate, and thereby threatening the pass through of untreated wastewater into the Edwards River, Galva threatened the discharge of contaminants into waters of the State which could cause or tend to cause water pollution in violation of Section 12(a) of the Act, 415 ILCS 5/12(a) (2012).

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that the Board enter an order against Respondent, CITY OF GALVA, with respect to this Count I:

1. Authorizing a hearing in this matter at which time the City of Galva will be required to answer the allegations contained herein;

2. Finding that the City of Galva has violated Section 12(a) of the Act, 415 ILCS 5/12(a) (2012);
3. Ordering the City of Galva to cease and desist from any further violations of Section 12(a) of the Act, 415 ILCS 5/12(a) (2012);
4. Assessing against the City of Galva a civil penalty of Fifty Thousand Dollars (\$50,000.00) for each violation of the Act and an additional civil penalty of Ten Thousand Dollars (\$10,000.00) for each day of violation;
5. Ordering the City of Galva to pay all costs of this action pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2012), including attorney, expert witness, and consultant fees expended by the State in its pursuit of this action; and
6. Granting such other relief as the Board deems appropriate and just.

PEOPLE OF THE STATE OF ILLINOIS,
LISA MADIGAN,
Attorney General of the State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/
Asbestos Litigation Division

By: 
ELIZABETH WALLACE, Chief
Environmental Bureau
Assistant Attorney General

Of Counsel:
KATHRYN A. PAMENTER
Assistant Attorney General
Environmental Bureau
69 W. Washington, Suite 1800
Chicago, Illinois 60602
(312) 814-0608

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STIPULATION AND PROPOSAL FOR SETTLEMENT

Complainant, PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, Attorney General of the State of Illinois, the Illinois Environmental Protection Agency (“Illinois EPA”), and CITY OF GALVA (“Respondent”), (collectively “Parties to the Stipulation”), have agreed to the making of this Stipulation and Proposal for Settlement (“Stipulation”) and submit it to the Illinois Pollution Control Board (“Board”) for approval. This stipulation of facts is made and agreed upon for purposes of settlement only and as a factual basis for the Board’s approval of this Stipulation and issuance of relief. None of the facts stipulated herein shall be introduced into evidence in any other proceeding regarding the violations of the Illinois Environmental Protection Act (“Act”), 415 ILCS 5/1 *et seq.* (2012), alleged in the Complaint except as otherwise provided herein. It is the intent of the Parties to the Stipulation that it be a final adjudication of this matter.

I. STATEMENT OF FACTS

A. Parties

1. On November 15, 2011, Illinois EPA, pursuant to Section 31 of the Act, 415 ILCS 5/31 (2010) sent a Violation Notice (the “Violation Notice”) to Respondent, alleging

violations of Sections 12(a), (b), (c) and (f) of the Act, 415 ILCS 5/12(a), (b), (c) and (f) (2010), and Section 309.204(a) of the Illinois Pollution Control Board's regulations concerning water pollution found in title 35, Subtitle C, Chapter I of the Illinois Administrative Code (the "Board Water Pollution Regulations"), 35 Ill. Adm. Code 309.204(a).

2. On May 3, 2013, a Complaint was filed on behalf of the People of the State of Illinois by Lisa Madigan, Attorney General of the State of Illinois, on her own motion and upon the request of the Illinois EPA, pursuant to Section 31 of the Act, 415 ILCS 5/31 (2012), against the Respondent.

3. The Illinois EPA is an administrative agency of the State of Illinois, created pursuant to Section 4 of the Act, 415 ILCS 5/4 (2012).

4. At all times relevant to the Complaint, the Respondent was and is an Illinois municipal corporation. At all times relevant to the Complaint, the Respondent owned and operated a wastewater treatment plant located at 523 North East 9th Street, Galva, Henry County, Illinois (the "Galva WWTP").

5. Respondent discharges its treated wastewater to an unnamed branch of the Edwards River pursuant to National Pollutant Discharge Elimination System Permit No. IL0026344.

B. Allegations of Non-Compliance

Complainant contends that the Respondent has violated the following provision of the Act:

Count I: **Water Pollution**: in violation of Section 12(a) of the Act, 415 ILCS 5/12(a) (2012).

C. Additional Allegations

The Violation Notice also alleged violations of Sections 12(b), (c) and (f) of the Act, 415 ILCS 5/12(b), (c) and (f) (2010), and Section 309.204(a) of the Board Water Pollution Regulations, 35 Ill. Adm. Code 309.204(a).

D. Non-Admission of Violations

The Respondent neither admits nor denies the violations alleged in the Violation Notice and the Complaint filed in this matter and referenced within Section I.B and I.C. herein.

II. APPLICABILITY

This Stipulation shall apply to and be binding upon the Parties to the Stipulation. The Respondent shall not raise as a defense to any enforcement action taken pursuant to this Stipulation the failure of any of its officers, directors, agents, employees or successors or assigns to take such action as shall be required to comply with the provisions of this Stipulation. This Stipulation may be used against the Respondent in any subsequent enforcement action or permit proceeding as proof of a past adjudication of a violation of the Act and the Board regulations for all violations alleged in the Complaint in this matter, for purposes of Sections 39 and 42 of the Act, 415 ILCS 5/39 and 42 (2012).

III. IMPACT ON THE PUBLIC RESULTING FROM ALLEGED NON-COMPLIANCE

Section 33(c) of the Act, 415 ILCS 5/33(c) (2012), provides as follows:

In making its orders and determinations, the Board shall take into consideration all the facts and circumstances bearing upon the reasonableness of the emissions, discharges, or deposits involved including, but not limited to:

1. the character and degree of injury to, or interference with the protection of the health, general welfare and physical property of the people;
2. the social and economic value of the pollution source;

3. the suitability or unsuitability of the pollution source to the area in which it is located, including the question of priority of location in the area involved;
4. the technical practicability and economic reasonableness of reducing or eliminating the emissions, discharges or deposits resulting from such pollution source; and
5. any subsequent compliance.

In response to these factors, the Parties to the Stipulation state the following:

1. The Respondent accepted landfill leachate from Atkinson Landfill Co. ("ALC") in May and June 2011 for disposal at the Galva WWTP without having certified that it had adequate capacity to accept and treat the leachate, which the Complainant alleges, threatened human health and the environment and hindered the Illinois EPA's information gathering responsibilities.

2. There is social and economic benefit to the Galva WWTP.

3. The Respondent's operation of the Galva WWTP was and is suitable for the area in which it is located.

4. Ensuring that landfill leachate is accepted for treatment by the Galva WWTP only as authorized by an Illinois EPA-issued permit is both technically practicable and economically reasonable.

5. The Respondent has subsequently complied with the Act.

IV. CONSIDERATION OF SECTION 42(h) FACTORS

Section 42(h) of the Act, 415 ILCS 5/42(h) (2010), provides as follows:

In determining the appropriate civil penalty to be imposed under . . . this Section, the Board is authorized to consider any matters of record in mitigation or aggravation of penalty, including but not limited to the following factors:

1. the duration and gravity of the violation;
2. the presence or absence of due diligence on the part of the respondent in attempting to comply with requirements of this Act and regulations thereunder or to secure relief therefrom as provided by this Act;
3. any economic benefits accrued by the respondent because of delay in compliance with requirements, in which case the economic benefits shall be determined by the lowest cost alternative for achieving compliance;
4. the amount of monetary penalty which will serve to deter further violations by the respondent and to otherwise aid in enhancing voluntary compliance with this Act by the respondent and other persons similarly subject to the Act;
5. the number, proximity in time, and gravity of previously adjudicated violations of this Act by the respondent;
6. whether the respondent voluntarily self-disclosed, in accordance with subsection i of this Section, the non-compliance to the Agency;
7. whether the respondent has agreed to undertake a "supplemental environmental project," which means an environmentally beneficial project that a respondent agrees to undertake in settlement of an enforcement action brought under this Act, but which the respondent is not otherwise legally required to perform; and
8. whether the respondent has successfully completed a Compliance Commitment Agreement under subsection (a) of Section 31 of this Act to remedy the violations that are the subject of the complaint.

In response to these factors, the Parties to the Stipulation state as follows:

1. In May and June 2011, the Respondent accepted landfill leachate from ALC for disposal at the Galva WWTP without having certified that it had adequate capacity to accept and treat the leachate, which the Complainant alleges, threatened the discharge of contaminants into waters of the State that could cause or tend to cause water pollution.
2. The Respondent was diligent in attempting to come back into compliance with the Act.

3. Any economic benefit obtained by the Respondent is accounted for in the \$2,000.00 civil penalty that the Respondent has agreed to pay in this matter.

4. Based upon the specific facts of this case, the Complainant has determined that a penalty of \$2,000.00 will serve to deter further violations and aid in future voluntary compliance with the Act and Board regulations.

5. To the Complainant's knowledge, the Respondent has no previously adjudicated violations of the Act.

6. Self-disclosure is not at issue in this matter.

7. The settlement of this matter does not include a supplemental environmental project.

8. A Compliance Commitment Agreement was not at issue in this matter.

V. TERMS OF SETTLEMENT

A. **Penalty Payment**

1. The Respondent shall pay a civil penalty in the sum of Two Thousand Dollars (\$2,000.00) within thirty (30) days from the date the Board adopts and accepts this Stipulation.

B. **Interest and Default**

1. If the Respondent fails to make any payment required by this Stipulation on or before the date upon which the payment is due, the Respondent shall be in default and the remaining unpaid balance of the penalty, plus any accrued interest, shall be due and owing immediately. In the event of default, the Complainant shall be entitled to reasonable costs of collection, including reasonable attorney's fees.

2. Pursuant to Section 42(g) of the Act, interest shall accrue on any penalty amount owed by the Respondent not paid within the time prescribed herein. Interest on unpaid penalties

shall begin to accrue from the date such are due and continue to accrue to the date full payment is received. Where partial payment is made on any penalty amount that is due, such partial payment shall be first applied to any interest on unpaid penalties then owing.

C. Payment Procedures

1. All payments required by this Stipulation shall be made by certified check or money order payable to the Illinois EPA for deposit into the Environmental Protection Trust Fund ("EPTF"). Payments shall be sent by first class mail and delivered to:

Illinois Environmental Protection Agency
Fiscal Services
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

2. The case name and case number shall appear on the face of the certified check or money order.

3. A copy of the certified check or money order and any transmittal letter shall be sent to:

Kathryn A. Pamenter
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
69 W. Washington Street, Suite 1800
Chicago, Illinois 60602

D. Future Compliance

1. The Respondent shall refrain from accepting landfill leachate or other wastewater delivered to the Respondent's facility by any person, without the Respondent first having certified to the Illinois EPA that it has adequate capacity to accept and treat the landfill leachate or other wastewater.

2. In addition to any other authorities, the Illinois EPA, its employees and

representatives, and the Attorney General, her employees and representatives, shall have the right of entry into and upon the Respondent's facility which is the subject of this Stipulation, at all reasonable times for the purposes of conducting inspections and evaluating compliance status. In conducting such inspections, the Illinois EPA, its employees and representatives, and the Attorney General, her employees and representatives, may take photographs, samples, and collect information, as they deem necessary.

3. This Stipulation in no way affects the responsibilities of the Respondent to comply with any other federal, state or local laws or regulations, including but not limited to the Act and the Board regulations.

4. The Respondent shall cease and desist from future violations of the Act that were the subject matter of the Complaint.

E. Release from Liability

In consideration of the Respondent's payment of the \$2,000.00 penalty, its commitment to cease and desist as contained in Section V.D.4 above, and upon the Board's approval of this Stipulation, the Complainant releases, waives and discharges the Respondent from any further liability or penalties for the violations of the Act that were the subject matter of the Complaint herein. The release set forth above does not extend to any matters other than those expressly specified in Complainant's Complaint filed on May 3, 2013 or described in the Violation Notice. The Complainant reserves, and this Stipulation is without prejudice to, all rights of the State of Illinois against the Respondent with respect to all other matters, including but not limited to, the following:

- a. criminal liability;
- b. liability for future violation of state, federal, local, and common laws and/or

regulations;

- c. liability for natural resources damage arising out of the alleged violations; and
- d. liability or claims based on the Respondent's failure to satisfy the requirements of this Stipulation.

Nothing in this Stipulation is intended as a waiver, discharge, release, or covenant not to sue for any claim or cause of action, administrative or judicial, civil or criminal, past or future, in law or in equity, which the State of Illinois may have against any person, as defined by Section 3.315 of the Act, 415 ILCS 5/3.315, or entity other than the Respondent.

F. Enforcement of Stipulation

Upon the entry of the Board's Order approving and accepting this Stipulation, that Order is a binding and enforceable order of the Board and may be enforced as such through any and all available means.

G. Execution of Stipulation

The undersigned representatives for the Parties to the Stipulation certify that they are fully authorized by the party whom they represent to enter into the terms and conditions of this Stipulation and to legally bind them to it.

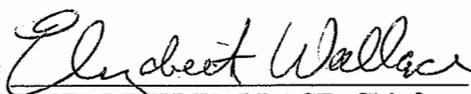
WHEREFORE, the Parties to the Stipulation request that the Board adopt and accept the foregoing Stipulation and Proposal for Settlement as written.

PEOPLE OF THE STATE OF ILLINOIS ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

LISA MADIGAN
Attorney General, State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/
Asbestos Litigation Division

LISA BONNETT, Director

BY: 
ELIZABETH WALLACE, Chief
Assistant Attorney General
Environmental Bureau

BY: 
JOHN J. KIM, Chief Legal Counsel

DATE: 5/2/13

DATE: 5/2/13

CITY OF GALVA

BY: _____

DATE: _____

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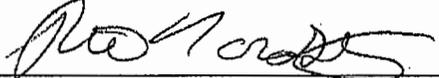
BY: _____
ELIZABETH WALLACE, Chief
Assistant Attorney General
Environmental Bureau

BY: _____
JOHN J. KIM, Chief Legal Counsel

DATE: _____

DATE: _____

CITY OF GALVA

BY: 

DATE: 4-24-13

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
by LISA MADIGAN, Attorney)	
General of the State of Illinois,)	
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Complainant,)	
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v.)	PCB No.
)	(Enforcement - Water)
)	
CITY OF GALVA, an Illinois municipal)	
corporation,)	
)	
Respondent.)	

MOTION FOR RELIEF FROM HEARING REQUIREMENT

NOW COMES Complainant, PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, 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) (2012), 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) (2012). In support of this motion, Complainant states as follows:

1. The Complaint in this matter alleges violations of Section 12(a) of the Act, 415 ILCS 5/12(a) (2012).
2. Complainant is filing the Complaint with the Board simultaneous with this Motion and a Stipulation and Proposal for Settlement.
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 this same date.

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) (2012).

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) (2012).

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

LISA MADIGAN
Attorney General, State of Illinois

BY:



Kathryn A. Pament
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
69 W. Washington Street, Suite 1800
Chicago, Illinois 60602
(312) 814-0608

DATE: May 3, 2013

CERTIFICATE OF SERVICE

I, Kathryn A. Pamerter, Assistant Attorney General, certify that on the 3rd day of May, 2013, I caused to be served by U.S. Certified Mail (return receipt requested), the foregoing Notice of Filing, Complaint, Stipulation and Proposal for Settlement, and Motion for Relief from Hearing Requirement to the parties named on the Notice of Filing, by depositing same in postage prepaid envelopes with the United States Postal Service located at 100 West Randolph Street, Chicago, Illinois 60601.



Kathryn A. Pamerter
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
69 W. Washington Street, Suite 1800
Chicago, Illinois 60602
(312) 814-0608