

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Complainant,	)	AC 2015-019
	)	
v.	)	(IEPA No. 368-14-AC)
	)	
SUSAN VORIS and MARK PRATT,	)	
	)	
Respondents.	)	

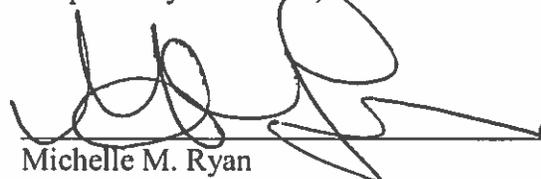
**NOTICE OF FILING**

To: Susan Voris  
384 Ridgeview Drive  
Grand Junction CO 81503

Mark Pratt  
5441 State Highway KK  
Friedheim MO 63747

PLEASE TAKE NOTICE that on this date I mailed for filing with the Clerk of the Pollution Control Board of the State of Illinois the following instrument(s) entitled STIPULATION OF SETTLEMENT AND DISMISSAL OF RESPONDENTS' PETITION FOR ADMINISTRATIVE REVIEW.

Respectfully submitted,



Michelle M. Ryan  
Special Assistant Attorney General

Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
(217) 782-5544

Dated: December 8, 2016

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
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Complainant,	)	AC 2015-019
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STIPULATION OF SETTLEMENT AND DISMISSAL  
OF RESPONDENT'S PETITION FOR ADMINISTRATIVE REVIEW

NOW COMES the Complainant, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY ("Illinois EPA"), by and through its attorney, Michelle M. Ryan, and the Respondents SUSAN VORIS and MARK PRATT (collectively "Respondents"), pursuant to Sections 31.1 and 42(b)(4-5) of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31.1 and 42(b)(4-5) (2014), and Section 103.180 of the Illinois Pollution Control Board's ("Board") Rules and Regulations, 35 Ill. Adm. Code 103.180, the parties hereby enter into this STIPULATION OF SETTLEMENT AND DISMISSAL OF RESPONDENT'S PETITION FOR ADMINISTRATIVE REVIEW, and in support hereof, the parties respectfully state as follows:

1. On October 1, 2014, Joseph Zappa, an Environmental Protection Specialist for the Illinois EPA's Collinsville Regional Office, conducted an inspection of a facility owned and operated by the Respondents. The facility is located at #13-118-005-00, Red Bud, Randolph County, Illinois, and is designated with Site Code No. 1470455052.

2. On or about October 31 and November 10, 2014, the Illinois EPA served the Respondents with Administrative Citation No. 368-14-AC, alleging therein that the Respondents had caused or allowed open dumping at the facility on October 1, 2014, in a manner which resulted in the following occurrences: (1) litter, a violation of 415 ILCS 5/21(p)(1) (2014); and (2) deposition of construction or demolition debris, a violation of 415 ILCS 5/21(p)(7) (2014).

3. On or about November 20 and December 8, 2014, Respondents filed Petitions for Review contesting the administrative citation.

4. In an effort to resolve this matter without the need for a hearing, the parties have engaged in settlement negotiations and have reached this Agreement and hereby tender it to the Board for approval, the terms and conditions of which are as follows:

- a. Respondents admit to open dumping resulting in litter at the facility (in violation of 415 ILCS 5/21(p)(1)) (2014) and agrees to pay the statutory civil penalty of \$1,500.00 for this violation pursuant to 415 ILCS 5/42(b)(4-5) (2014).
- b. Respondents agree to pay the statutory civil penalty in \$500 installments, beginning 30 days from the date of the Board's order accepting this stipulation and continuing monthly until paid in full. In the event that a payment is late or missed, the entire balance due will become immediately due and owing.
- c. Respondents agree to diligently comply with, and shall cease and desist from further violation of the Act, 415 ILCS 5/1 *et seq.* (2014), and the Board's rules and regulations, 35 Ill. Adm. Code Subtitles A through H.
- d. The violations observed during the October 1, 2014 inspection are not continuing at this time.

- e. The Illinois EPA agrees not to refer the violations that are the subject of this administrative citation to the Office of the Illinois Attorney General or any other prosecuting authority for the initiation of a civil enforcement action.
- f. Respondents' Petitions for Review filed with the Board on or about November 20 and December 8, 2014, shall be dismissed.

WHEREFORE, the parties request that the Board accept this Agreement and issue an order consistent with its terms and conditions.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, Complainant,

BY:   
Michelle M. Ryan  
Special Assistant Attorney General  
1021 North Grand Avenue East  
Springfield, IL 62702-4059  
(217) 782-5544

DATE: 12/7/16

-AND-

MARK PRATT, Respondent,

  
\_\_\_\_\_

DATE:

-AND-

SUSAN VORIS, Respondent,

\_\_\_\_\_

DATE:

f. Respondents' Petitions for Review filed with the Board on or about November 20 and December 8, 2014, shall be dismissed.

WHEREFORE, the parties request that the Board accept this Agreement and issue an order consistent with its terms and conditions.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, Complainant,

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

Michelle M. Ryan  
Special Assistant Attorney General  
1021 North Grand Avenue East  
Springfield, IL 62702-4059  
(217) 782-5544

-AND-

MARK PRATT, Respondent,

\_\_\_\_\_  
DATE: \_\_\_\_\_

-AND-

SUSAN VORIS, Respondent,

*Susan Voris* DATE: 1/14/16

