

ILLINOIS POLLUTION CONTROL BOARD

August 9, 2001

|                                  |   |                       |
|----------------------------------|---|-----------------------|
| PEOPLE OF THE STATE OF ILLINOIS, | ) |                       |
|                                  | ) |                       |
| Complainant,                     | ) |                       |
|                                  | ) |                       |
| v.                               | ) | PCB 02-15             |
|                                  | ) | (Enforcement – Water) |
| MACON COUNTY LANDFILL            | ) |                       |
| CORPORATION,                     | ) |                       |
|                                  | ) |                       |
| Respondent.                      | ) |                       |

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

On July 31, 2001, the People of the State of Illinois (People) filed a three-count complaint against respondent Macon County Landfill Corporation (Landfill). The complaint alleges that the Landfill caused or allowed water pollution and permit violations in Macon County. These activities were in alleged violation of Section 12(a) and 21(o) of the Environmental Protection Act (Act) (415 ILCS 5/12(a), 21(o) (2000)).

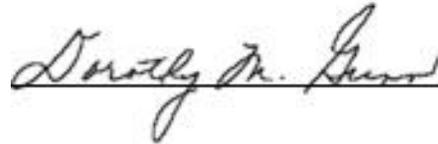
On July 31, 2001, the parties also filed a stipulation and proposal for settlement, accompanied by a motion requesting relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (2000)). Respondent denies the alleged violations in the complaint but proposes to pay a \$75,000 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) (2000). 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 9th day of August 2001 by a vote of 6-0.

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

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board