ILLINOIS POLLUTION CONTROL BOARD January 24, 2002

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
V.)
)
AMERICAN DRIVEWAY MAINTENANCE,	,)
INC., an Illinois corporation,)
)
Respondent.)
)

PCB 00-202 (Enforcement - Water)

ORDER OF THE BOARD (by N.J. Melas):

On May 26, 2000, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against American Driveway Maintenance, Inc. (ADMI). *See* 415 ILCS 5/31(c)(1) (2000); 35 Ill. Adm. Code 103.204. The People allege that ADMI violated Sections 12(a) and 12(d) of the Environmental Protection Act (Act) (415 ILCS 5/12(a) and 5/12(d) (2000)) and Section 304.106 of the Board's regulations (35 Ill. Adm. Code 304.106). The People further allege that ADMI violated these provisions by discharging rinse water containing Dynaflex into the Rock River. The complaint concerns ADMI's driveway and tennis court coating facility 1202 Buchanan Street, Rockford, Winnebago County.

On January 14, 2002, the People and ADMI filed a stipulation and proposed settlement, accompanied by a request for relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (2000)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2000)). See 35 III. Adm. Code 103.300(a). Under the proposed stipulation, ADMI admits the alleged violations of Section 12(a) of the Act and Section 304.106 of the Board's regulations and agrees to pay a civil penalty of \$4,000.

Unless the Board determines that a hearing is needed, the Board must cause notice of the stipulation, proposed settlement, and request for relief from the hearing requirement. Any person may file a written demand for hearing within 21 days after receiving the notice. If any person timely files a written demand for hearing, the Board will deny the parties' request for relief and hold a hearing. 415 ILCS 5/31(c)(2) (2000); 35 Ill. Adm. Code 103.300(b), (c). The Board directs the Clerk of the Board to provide the required notice.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on January 24, 2002, by a vote of 7-0.

Dorothy Mr. Aund

Illinois Pollution Control Board