ILLINOIS POLLUTION CONTROL BOARD March 21, 2001

PEOPLE OF THE STATE OF ILLINOIS,)	
Complainant,))	
v.		PCB 02-30 (Enforcement – Water)
MERIDIAN DEVELOPMENT	ý	(Enforcement Water)
CORPORATION, an Illinois corporation,	ý	
)	
Respondent.)	
respondent		

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

On September 7, 2001, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a four-count complaint against respondent Meridian Development Corporation (Meridian). *See* 415 ILCS 5/31(c)(1) (2000); 35 Ill. Adm. Code 103.204. The complaint alleges that Meridian operated without a National Pollutant Discharge Elimination System (NPDES) permit, violated water quality standards, created a water pollution hazard, and violated NPDES permit conditions at a construction site in Beach Park, Lake County. These activities were in alleged violation of Sections 12(a), 12(d), and 12(f) of the Environmental Protection Act (Act) (415 ILCS 5/12(a), 12(d), and 12(f) (2000)), Sections 309.102(a) and 302.203 of the Board's regulations (35 Ill. Adm. Code 309.102(a) and 302.203), and Sections IV.B.2., IV.D.2.c.i and IV.D.4.d of Meridian's NPDES permit.

On March 7, 2002, the People and Meridian filed a stipulation and proposed settlement, accompanied by a request for relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (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, Meridian admits the alleged violations and agrees to pay a civil penalty of \$10,000.

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 anyone 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 March 21, 2002, by a vote of 7-0.

Dorothy Mr. Aund

Illinois Pollution Control Board