

ILLINOIS POLLUTION CONTROL BOARD  
May 6, 1999

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
Complainant, )  
)  
v. ) PCB 99-93  
) (Enforcement - Water)  
SOUTH PALOS TOWNSHIP SANITARY )  
DISTRICT, a municipal corporation, )  
)  
Respondent. )

ORDER OF THE BOARD (by E.Z. Kezelis):

On December 30, 1998, the Illinois Attorney General, on behalf of the People of the State of Illinois, filed a formal complaint naming as a respondent South Palos Township Sanitary District, a municipal corporation located in Cook County, Illinois. The complaint contains allegations that the respondent violated Section 12 of the Illinois Environmental Protection Act (Act) (415 ILCS 5/12 (1996)) and 35 Ill. Adm. Code 306.304 and 309.202. The alleged violations result from operations of the respondent's sanitary sewer system.

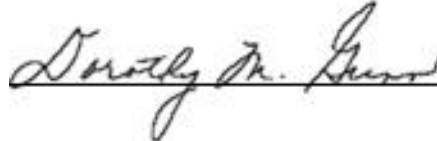
On April 19, 1999, the parties filed a stipulation and proposal for settlement accompanied by a request for relief from the hearing requirements of Section 31(c)(2) of the Act. Section 31(c)(2) of the Act provides:

Notwithstanding the provisions of subdivision (1) of this subsection (c), whenever a complaint has been filed on behalf of the Agency or by the People of the State of Illinois, the parties may file with the Board a stipulation and proposal for settlement accompanied by a request for relief from the requirement of a hearing pursuant to subdivision (1). Unless the Board, in its discretion, concludes that a hearing will be held, the Board shall cause notice of the stipulation, proposal and request for relief to be published and sent in the same manner as is required for hearing pursuant to subdivision (1) of this subsection. The notice shall include a statement that any person may file a written demand for hearing within 21 days after receiving the notice. If any person files a timely written demand for hearing, the Board shall deny the request for relief from a hearing and shall hold a hearing in accordance with the provisions of subdivision (1). 415 ILCS 5/31(c)(2) (1996).

The Board accordingly directs the Clerk of the Board to cause publication of the required newspaper notice. The Board will reserve ruling on the parties' request for relief from the hearing requirement until after the statutory 21-day period has passed.

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 6th day of May 1999 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