

ILLINOIS POLLUTION CONTROL BOARD

January 8, 2004

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 03-73
)	(Enforcement - Land)
RIVERDALE RECYCLING, INC., an Illinois)	
corporation, and TRI-STATE DISPOSAL,)	
INC., an Illinois corporation,)	
)	
Respondents.)	

ORDER OF THE BOARD (by J.P. Novak):

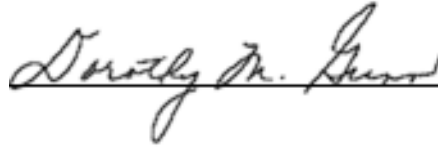
On November 19, 2002, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Riverdale Recycling, Inc. and Tri-State Disposal, Inc. (respondents). See 415 ILCS 5/31(c)(1) (2002); 35 Ill. Adm. Code 103.204. The People allege that the respondents violated Section 21(a) and (d) of the Environmental Protection Act (Act) (415 ILCS 5/21(a) and (d) (2002)). The People further allege that the respondents violated these provisions by open dumping of waste and waste storage without a permit. The complaint concerns the respondents' waste transfer and recycling facility at 13901 South Ashland, Riverdale, Cook County.

On December 22, 2003, the People and the respondents 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) (2002)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2002)). See 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, the respondents neither admit nor deny the alleged violations, but agree to pay a civil penalty of \$9,000.

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 January 8, 2004, by a vote of 5-0.

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

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board