ILLINOIS POLLUTION CONTROL BOARD
January 22, 2004

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 98-80
	)	(Enforcement - Land
CRAIG LINTON and RANDY ROWE,	)	
	)	
Respondents.	)	

ORDER OF THE BOARD (by G.T. Girard):

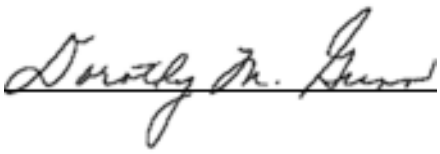
On December 9, 1997, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Craig Linton and Randy Rowe (respondents). *See* 415 ILCS 5/31(c)(1) (2002); 35 Ill. Adm. Code 103.204. The People allege that respondents violated Section 55.3(d) of the Environmental Protection Act (Act) (415 ILCS 5/55.3(d) (2002)). The People further allege that respondents violated these provisions by failing to remove used and waste tires. The complaint concerns respondents' site in Ottawa, LaSalle County.

On January 15, 2004, the People and 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 admit the alleged violation and agree to pay a civil penalty of $6,000 into the Used Tire Management Fund.

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) (2002); 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 22, 2004, by a vote of 5-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board