

ILLINOIS POLLUTION CONTROL BOARD

February 16, 2006

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 06-45
)	(Enforcement - Land, Water)
ECOLAB, INC., a Delaware corporation, and)	
CHARLES A. WINSLETT,)	
)	
Respondents.)	

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

On September 22, 2005, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a two-count complaint against Ecolab, Inc. and Charles A. Winslett (respondents). *See* 415 ILCS 5/31(c)(1) (2004); 35 Ill. Adm. Code 103.204.

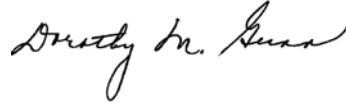
The People allege that respondents violated Sections 21(a), 21(e), and 12(d) of the Environmental Protection Act (Act) (415 ILCS 5/21(a), 21(e), and 12(d) (2004)). The People further allege that respondents violated these provisions by open dumping of Phostoxin[®] powder waste along the side of Hurt Road. Hurt Road is approximately 1/4 mile west of Apple Road, South Pekin, Tazewell County.

On February 14, 2006, 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) (2004)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2004)). *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, the respondents admit the alleged violations and agrees to pay a civil penalty of \$2,500. The respondents further agree to engage in a supplemental environmental project, which consists of the cash payment of \$10,000 for the restoration of a park and playground in South Pekin that was severely damaged by a tornado in May 2004.

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) (2004); 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 February 16, 2006, by a vote of 4-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn".

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board