

ILLINOIS POLLUTION CONTROL BOARD

August 4, 2006

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 05-203
)	(Enforcement - Land)
HOMEWOOD DISPOSAL SERVICE, INC.,)	
an Illinois corporation,)	
)	
Respondent.)	

ORDER OF THE BOARD (by T.E. Johnson):

On June 3, 2005, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Homewood Disposal Service, Inc. (Homewood). *See* 415 ILCS 5/31(c)(1) (2004); 35 Ill. Adm. Code 103.204. The complaint concerns Homewood's solid waste transfer station at 25 South Park Street, Park Forest, Cook County. The Board accepted the complaint for hearing on June 16, 2005.

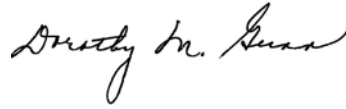
In the complaint, the People allege that Homewood violated Section 21(d)(1) of the Illinois Environmental Protection Act (Act)(415 ILCS 5/21(d)(1) (2004)); 35 Ill. Adm. Code 807.210; and special condition five of Supplemental Permit number 1995-020-SP. The People further allege that Homewood violated these provisions by (1) modifying a waste management site without a permit; and (2) violating a special permit condition requiring a closure plan.

On July 26, 2006, the People and Homewood 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). These filings are 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, Homewood does not affirmatively admit the violations alleged in the complaint, but agrees to pay a civil penalty of \$20,000.

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) (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 August 4, 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