ILLINOIS POLLUTION CONTROL BOARD August 17, 2006

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
v.)	PCB 06-117
v.)	(Enforcement - Land)
SALINE COUNTY LANDFILL,)	(
)	
Respondent.)	

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

On December 28, 2005, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a one-count complaint against Saline County Landfill, Inc. (Saline County Landfill). *See* 415 ILCS 5/31(c)(1) (2004); 35 Ill. Adm. Code 103.204. The complaint concerns Saline County Landfill's landfill at 5000 Whitesville Road, Harrisburg, Saline County.

The People allege that Saline County Landfill violated Section 21(o)(5) of the Environmental Protection Act (Act) (415 ILCS 5/21(o)(5) (2004)) and 35 Ill. Adm. Code 811.106(a). The People further allege that Saline County Landfill violated these provisions by conducting operations at a permitted landfill in a manner that uncovered refuse remained from a previous operating day. The People ask the Board to order Saline County Landfill to cease and desist from further violation and pay a civil penalty in accordance with statute.

On August 2, 2006, the People and Saline County Landfill 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, Saline County Landfill admits the alleged violation and agrees to pay a civil penalty of \$8,000.

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 17, 2006, by a vote of 4-0.

Dorothy M. Gunn, Clerk

Illinois Pollution Control Board