

enforcement action without a public hearing. *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulations, both respondents admit to the alleged violations. Respondent, Summer Ridge agrees to pay a civil penalty in the amount of \$10,000.00 , and respondent Stark Excavating agrees to pay a civil penalty in the amount of \$5,000.00.

Unless the Board determines that a hearing is needed, the Board must cause notice of the stipulation and proposal for 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. *See* 415 ILCS 5/31(c)(2) (2006); 35 Ill. Adm. Code 103.300(b), (c). The Board directs the Clerk to provide the required notice.

IT IS SO ORDERED.

I, John Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above opinion and order on April 16, 2009, by a vote of 5-0.



John Therriault, Assistant Clerk
Illinois Pollution Control Board