

ILLINOIS POLLUTION CONTROL BOARD
November 16, 2000

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 00-172
)	(Enforcement – Land, Water)
ENVIROFIL OF ILLINOIS, INC., an Illinois)	
corporation,)	
)	
Respondent.)	

ORDER OF THE BOARD (by R.C. Flemal):

On April 7, 2000, the People of the State of Illinois filed a five-count complaint against respondent Envirofil of Illinois, Inc. (Envirofil), a landfill operator. The complaint alleges Envirofil caused water pollution, failed to perform corrective action assessments, operated without prior conduct certification, failed to manage methane emissions, and failed to manage storm water discharges at its landfill in Macomb, McDonough County, Illinois. These activities were in alleged violation of Sections 12(a), 21(d) and 21(o)(11) of the Environmental Protection Act (Act) (415 ILCS 5/12(a), 21(d), (o)(11) (1998)), the Board's landfill regulations at 35 Ill. Adm. Code 745.201(b), 807.313, and special conditions VI.4, VII.14, VII.17, and X.7 of Envirofil's significant modification permit.

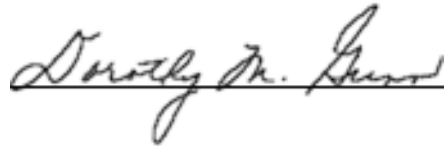
In addition to the complaint, on November 2, 2000, the parties filed a stipulation and proposal for settlement, accompanied by a motion requesting relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (1998)). In the proposed stipulation Envirofil admits the violations alleged in the complaint and proposes to pay a \$45,000 penalty.

Pursuant to Section 31(c)(2) of the Act, the complainant may file with the Board a stipulation and proposal for settlement accompanied by a request for relief from the hearing requirement. (415 ILCS 5/31(c)(2) (1998)). Unless the Board determines that a hearing is needed, the Board is required to publish notice of the stipulation and proposal for settlement and request for relief from the hearing requirement.

Accordingly, the Board directs the Clerk of the Board to cause publication of the required newspaper notice. Any person may file a written demand for hearing within 21 days of the published notice. If a hearing is requested, the Board will deny the parties' request for relief and schedule a hearing.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 16th day of November 2000 by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board