

ILLINOIS POLLUTION CONTROL BOARD

December 7, 2000

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 00-104
)	(Enforcement – Air)
THE HIGHLANDS, L.L.C., an Illinois limited)	
liability corporation, MURPHY FARMS, INC.)	
a/k/a MURPHY FAMILY FARMS, a North)	
Carolina corporation, and BION)	
TECHNOLOGIES, INC., a Colorado)	
corporation,)	
)	
Respondents.)	

ORDER OF THE BOARD (by E.Z. Kezelis):

A complaint in the above captioned matter was filed on December 21, 1999. The complaint alleges that the respondents violated specified provisions of the Environmental Protection Act (Act) (415 ILCS 5/1 *et seq.* (1998)). The complaint alleges that air pollution violations occurred at a 3,650 sow farrow-to-wean facility located south of Williamsfield in Elba Township, Knox County, Illinois. The complaint alleges that the livestock waste management system utilized by the facility was designed by Bion Technologies, Inc. (Bion).

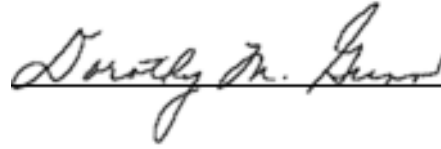
On November 21, 2000, the complainant filed a stipulation and proposal for settlement accompanied by a motion requesting relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (1998)). The stipulation and proposal for settlement involves a settlement reached with Bion only.

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 for 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 of the published notice. If a hearing is requested, the Board will deny the 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 7th day of December 2000 by a vote of 7-0.

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

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board