

ILLINOIS POLLUTION CONTROL BOARD

June 6, 1996

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 96-169
)	(Enforcement - Water)
)	
KERR-MCGEE REFINING)	
CORPORATION, a Delaware Corporation,)	
)	
Respondent.)	

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

On March 23, 1996 the Illinois Attorney General, on behalf of the People of the State of Illinois, filed a formal complaint and on May 22, 1996, an amended complaint naming as respondent Kerr-McGee Refining Corporation regarding a gasoline filling station located at 2nd Avenue and North Main, White Hall, Greene County, Illinois. On June 3, 1996 the parties filed a stipulation and proposal for settlement accompanied by a request for relief from the requirements of Section 31(a)(1) of the Environmental Protection Act (Act) that proposed stipulated settlements be presented at public hearing. (415 ILCS 5/31(a)(1) (1994).)

Section 31(a)(2) of the Act provides that whenever a complaint has been filed on behalf of the Agency or by the People of the State of Illinois, the parties may file with the Board a stipulation and proposal for settlement accompanied by a request for relief from the requirement of a hearing. The Board is required to cause notice of the stipulation, proposal and request for relief to be published, unless the Board, in its discretion, concludes that a hearing is necessary. The notice is required to include a statement that any person may file a written demand for hearing within 21 days after receiving the notice. If any person files a timely written demand for hearing, the Board shall deny the request for relief and hold a hearing.

The Board accordingly directs the Clerk to cause publication of the required newspaper notice. The Board will reserve ruling on the parties request until after the statutory 21 days has passed.

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 ____ day of _____, 1996, by a vote of _____.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board