



- depositing liquid swine manure upon the land through the surface application of manure in such a place and manner as to create a water pollution hazard;
- depositing liquid swine manure upon the land through discharges from a manure application wagon in such a place and manner as to create a water pollution hazard;
- causing or allowing the discharge of livestock waste as a result of the land application of manure without National Pollutant Discharge Elimination System (NPDES) permit coverage;
- causing or allowing the discharge of livestock waste as a result of the discharge of the manure application wagon without NPDES permit coverage;
- surface applying liquid swine manure in a quantity and manner such that it caused or threatened to cause the runoff of waste to the waters of the State and exceeded a practical limit as determined by soil type;
- failing to practice adequate odor control methods and technology at his livestock facility; thereby causing air pollution; and
- failing to practice odor control methods during the field application of livestock waste; thereby causing air pollution.

The People also allege that Shafer violated Section 12(a) of the Act by causing, allowing, or threatening the discharge of contaminants into waters of the State so as to cause or tend to cause water pollution in Illinois or to violate the Board's regulations or standards.

The Board finds that the complaint meets the applicable content requirements of the Board's procedural rules and accepts the complaint. *See* 35 Ill. Adm. Code 103.204(c).

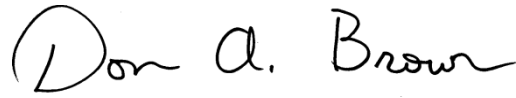
On December 4, 2017, simultaneously with the People's complaint, the People and respondents filed a stipulation and proposed settlement, accompanied by a request for relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (2016)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2016)), which requires that the public have an opportunity to request a hearing whenever the State and a respondent propose settling an enforcement action without a public hearing. *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, respondents admit the alleged violations, Dean agrees to pay a civil penalty of \$10,000, and Shafer agrees to pay a civil penalty of \$5,000.

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 comment or demand for hearing within 30 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) (2016); 35 Ill. Adm. Code 103.300(b), (c). The Board directs the Clerk to provide the required notice.

Members Carter and Santos abstained.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on December 7, 2017, by a vote of 3-0.

A handwritten signature in black ink that reads "Don A. Brown". The signature is written in a cursive style with a large, circular initial "D".

Don A. Brown, Clerk  
Illinois Pollution Control Board