

ILLINOIS POLLUTION CONTROL BOARD
May 1, 2003

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 01-150
)	(Enforcement - Water)
MARC DEVELOPMENT CORPORATION,)	
An Illinois corporation, and SILVER GLEN)	
ESTATES HOMEOWNERS')	
ASSOCIATION, a non-for-profit corporation,)	
)	
Respondent.)	

ORDER OF THE BOARD (by M.E. Tristano):

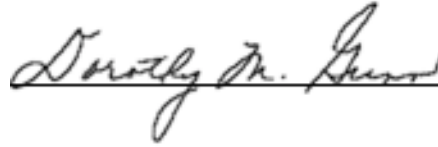
On May 4, 2001, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Marc Development Corporation (respondent). *See* 415 ILCS 5/31(c)(1) (2002); 35 Ill. Adm. Code 103.204. The People allege that respondent violated Sections 12(a), (b), (f) of the Act, and Section 309.102(a) of the Board regulations. The People further allege that respondent caused or allowed water pollution, operating and constructing permit violations, and discharge without a NPDES permit. The complaint concerns respondent's spray irrigation wastewater disposal system located at Silver Glen Estates off Whispering Trails Road, Elgin Township, Kane County.

On April 17, 2003, the People and respondent 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) (2002)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2002)). *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, the respondent admits the alleged violations and agrees to pay a civil penalty of \$20,000.

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 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. 415 ILCS 5/31(c)(2) (2002); 35 Ill. Adm. Code 103.300(b), (c). The Board directs the Clerk of the Board to provide the required notice.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on May 1, 2003, 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