

ORIGINAL

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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OCT 15 2003

STATE OF ILLINOIS
Pollution Control Board

No. PCB 03-13
(Enforcement-Air)

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.)
)
CHICAGO DIVERSIFIED PROJECTS, INC.,)
an Illinois Corporation,)
)
Respondent.)

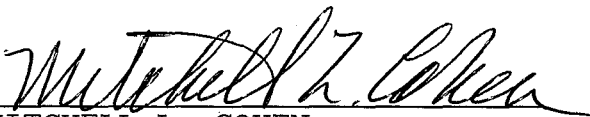
NOTICE OF FILING

TO: See Attached Service List

PLEASE TAKE NOTICE that on October 15, 2003, we filed with the Illinois Pollution Control Board a Motion for Relief from the Hearing Requirement, a true and correct copy of which is attached and hereby served upon you.

Respectfully submitted,

LISA MADIGAN
Attorney General
State of Illinois

BY: 
MITCHELL L. COHEN
Assistant Attorney General
Environmental Bureau
188 W. Randolph St., 20th Floor
Chicago, Illinois 60601
(312) 814-5282

SERVICE LIST

Norman Chimenti
Martin, Craig, Chester & Sonnenschein
2215 York Road, Suite 550
Oak Brook, IL 60523

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
JRTC, Suite 11-500
Chicago, IL 60601

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MOTION FOR RELIEF FROM HEARING REQUIREMENT

NOW COMES Complainant, PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, Attorney General of the State of Illinois, and pursuant to Section 31(c)(2) of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31(c)(2) (2002), moves that the Illinois Pollution Control Board ("Board") grant the parties in the above-captioned matter relief from the hearing requirement imposed by Section 31(c)(1) of the Act, 415 ILCS 5/31(c)(1) (2002). In support of this motion, Complainant states as follows:

1. The Complaint in this matter alleges violation of the Section 9.1(d) of the Act, 415 ILCS 5/9.1(d) (2002).
2. Complainant is filing this Motion and a Stipulation and Proposal for Settlement with the Board.
3. The parties have reached agreement on all outstanding issues in this matter.
4. This agreement is presented to the Board in a Stipulation and Proposal for Settlement which was filed October 8, 2003, several days before this motion.
5. All parties agree that a hearing on the Stipulation and Proposal for Settlement is not necessary, and respectfully

request relief from such a hearing as allowed by Section 31(c)(2) of the Act, 415 ILCS 5/31(c)(2) (2002).

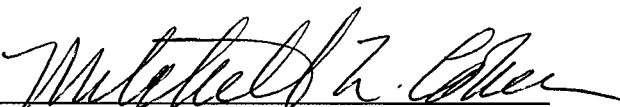
WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, hereby requests that the Board grant this motion for relief from the hearing requirement set forth in Section 31(c)(1) of the Act, 415 ILCS 5/31(c)(1) (2002).

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

LISA MADIGAN
Attorney General
State of Illinois

BY:


MITCHELL L. COHEN
Assistant Attorney General
Environmental Bureau
188 W. Randolph St., 20th Floor
Chicago, Illinois 60601
(312) 814-5282

DATE: October 15, 2003

CERTIFICATE OF SERVICE

I, MITCHELL COHEN, an Assistant Attorney General, certify that on the 15th day of October, 2003, I caused to be served by First Class Mail the foregoing Motion for Relief from the Hearing Requirement to the parties named on the attached service list, by depositing same in postage prepaid envelopes with the United States Postal Service located at 100 West Randolph Street, Chicago, Illinois 60601.


MITCHELL L. COHEN