

9.1(d)(1) of the Act (415 ILCS 5/9.1(d)(1) (2012)). On August 18, 2011, the Board found that a civil penalty was warranted and directed ESMI to pay a civil penalty of \$3,000.

On November 18, 2013, 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) (2012)) was filed in this proceeding. The proposed stipulation, signed by both Landers and ESMI, states:

The respondents shall pay a civil penalty in the sum of five thousand four hundred dollars (\$5,400) within thirty (30) days from the date the Board adopts and accepts this stipulation. The respondent Ray Landers shall pay \$1,500, within 30 days of the date of entry of this stipulation. The remainder of the penalty shall be assessed against the respondent Ministry [ESMI] and is also due within 30 days of the date of the entry of this stipulation. Stip. at 6.

As the case against ESMI concluded on August 18, 2011 and no appeal was filed, the Board seeks clarification of the parties' stipulation. Specifically, the Board questions whether the parties are seeking to modify the Board's August 18, 2011 order assessing a civil penalty of \$3,000 against ESMI, or whether there is another reason for the penalty amounts proposed. The parties are directed to file any appropriate responsive pleading on or before December 12, 2013.

IT IS SO ORDERED.

I, Don A. Brown, Acting Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on November 21, 2013, by a vote of 4-0.

A handwritten signature in black ink that reads "Don A. Brown". The signature is written in a cursive, flowing style.

Don A. Brown, Acting Clerk
Illinois Pollution Control Board