

ILLINOIS POLLUTION CONTROL BOARD  
June 16, 1988

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY, )  
)  
Complainant, )  
)  
v. ) PCB 84-92  
)  
RICHARD KROHN and PARKWAY )  
BANK AND TRUST COMPANY, )  
as Trustee Under Trust )  
No. 4730, )  
)  
Respondent. )

ORDER OF THE BOARD (by J.D. Dumelle):

This matter comes before the Board upon a July 16, 1984, six count Complaint filed on behalf of the Illinois Environmental Protection Agency (Agency) by the Illinois Attorney General's Office. Count I alleges failure to properly place 6 inches of compacted layer in violation of Board regulations. Count II alleges failure to spread and compact refuse placed in the landfill. Count III alleges failure to properly employ personnel at the landfill. Counts IV and V allege violation of special permit conditions. Count VI alleges violation of solid waste regulations.

Hearing was held on May 23, 1981, in Glenview, Illinois. Both parties were represented by counsel and several members of the public attended and entered comments on the record.

Respondent, Parkway Bank and Trust Company, of Harwood Heights, Illinois, as Trustee under Trust No. 4730 is the legal title holder of a landfill site in question in the City of Glenview, Illinois. Richard Krohn, an individual, was the sole beneficiary of Trust No. 4730. The facility in question is a solid waste disposal site, used for landfilling waste.

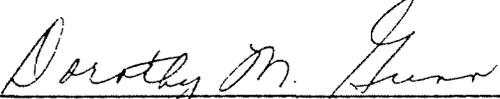
At hearing, the parties introduced a Stipulation and Proposal For Settlement. Upon reviewing the Stipulation and Proposal For Settlement the Board finds that there are problems which render the stipulation unacceptable. In particular, paragraph No. 9 allows the parties to fashion additional remedies for as yet unanticipated difficulties. These remedies, according to the Stipulation, need not be presented to the Board for review. The Board cannot accept a stipulation which allows the parties to establish additional remedies which are not reviewable

by this Board. For these reasons the Board cannot accept the proposed Stipulation and Proposal For Settlement.

If the Board does not receive an amended stipulation, curing the noted defect, within 90 days of the date of this Order the Board will schedule an additional hearing on this matter.

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 16<sup>th</sup> day of June, 1988 by a vote of 7-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board