

ILLINOIS POLLUTION CONTROL BOARD

June 21, 2001

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 01-44
)	(Enforcement – Land, Water)
RATLIFF BROTHERS AND CO., INC., an)	
Illinois corporation,)	
)	
Respondent.)	

ORDER OF THE BOARD (by S.T. Lawton, Jr.):

On August 31, 2000, the People of the State of Illinois (People) filed a three-count complaint against respondent, Ratliff Brothers and Co., Inc. (respondent). The complainant alleges that respondent caused or allowed the open dumping of demolition debris and other general refuse on property in Henry County, Illinois, which is owned and operated by Giant Goose Conservation Education Workshop, Inc. (Giant Goose property), and that respondent discharged such demolition debris and refuse in a manner that caused or tended to cause water pollution and a water pollution hazard. Complainant further alleges that respondent caused or allowed the development and operation of a new solid waste management site on the Giant Goose property without obtaining the necessary permits. This activity was alleged to be in violation of Sections 12(a), 12(d), 21(a), 21(e), 21(p)(1) and 21(p)(4) of the Environmental Protection Act (Act) (415 ILCS 5/12(a), 5/12(d), 5/21(a), 5/21(e), 5/21(p)(1), 5/21(p)(4) (2000)); and Sections 807.201, 807.202(a), and 812.101(a) of the Board's regulations (35 Ill. Adm. Code 807.201, 807.202(a), 812.101(a)).

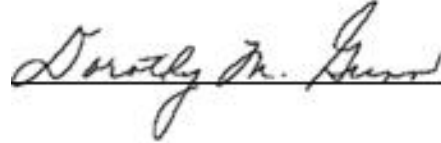
On June 6, 2001, the parties filed a stipulation and proposal for settlement, accompanied by a motion requesting relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (2000)). Respondent admits the alleged violations in the complaint and proposes to pay a \$10,000 penalty.

Pursuant to Section 31(c)(2) of the Act, the complainant may file with the Board a stipulation and proposal for settlement accompanied by a request for relief from the hearing requirement. 415 ILCS 5/31(c)(2) (2000). Unless the Board determines that a hearing is needed, the Board is required to publish notice of the stipulation and proposal for settlement and request for relief from the hearing requirement.

Accordingly, the Board directs the Clerk of the Board to cause publication of the required newspaper notice. Any person may file a written demand for hearing within 21 days of the published notice. If a hearing is requested, the Board will deny the parties' request for relief and schedule a hearing.

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 21st day of June 2001 by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", is written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board