

ILLINOIS POLLUTION CONTROL BOARD

July 26, 2001

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 00-4
) (Enforcement - Land)
AMERICAN WOOD RECYCLING, INC., an)
Illinois corporation, and STEVEN BERGLUND,)
individually, and as chief executive officer of)
AMERICAN WOOD RECYCLING, INC.,)
)
Respondents.)
)

ORDER OF THE BOARD (by G.T. Girard):

On July 9, 1999, the People of the State of Illinois (People) filed a six-count complaint against the respondents American Wood Recycling and Steven Berglund. The complaint alleges the respondents caused open dumping and littering, operation without a permit, unpermitted disposal, failure to apply for a permit application, and violations of various other operating permit conditions at the facility located near the intersection of Beverly Road and Prairie-Stone Parkway in Hoffman Estates, Cook County, Illinois. These activities were in alleged violation of Section 21(a), (p)(1), (d)(1), (d)(2), and (e) of the Environmental Protection Act (Act) (415 ILCS 5/21(a), (p)(1), (d)(1), (d)(2), and (e) (2000)), and the Board's waste disposal regulations at 35 Ill. Adm. Code 812.101(a).

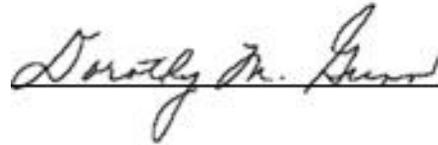
On July 12, 2001, the People and American Wood Recycling filed a stipulation and proposal for settlement, accompanied by a motion requesting relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (2000)). On July 19, 2001, the People filed a motion to dismiss Steven Berglund. Under the proposed stipulation and settlement, American Wood Recycling proposes to pay a \$4000 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.

Further, the Board grants the People's motion to dismiss Steve Berglund.

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 26th day of July 2001 by a vote of 6-0.

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

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board