

ILLINOIS POLLUTION CONTROL BOARD  
November 15, 2001

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 01-134
	)	(Enforcement - Land)
KUCERA DISPOSAL COMPANY,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by E.Z. Kezelis):

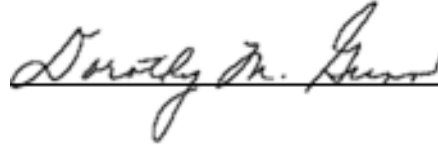
On March 30, 2001, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Kucera Disposal Company (Kucera). *See* 415 ILCS 5/31(c)(1) (2000); 35 Ill. Adm. Code 103.204. The People allege that Kucera violated Section 21(d) of the Environmental Protection Act (Act) (415 ILCS 5/21(d) (2000)) and operating permit 1983-22-OP part IV, Section A, 26 and special condition 15. The People further allege that Kucera violated these provisions by stockpiling construction and demolition debris and chipping and storing wood wastes under a metal canopy. The complaint concerns Kucera's site at 1800 South Laramie, Cicero, Cook County.

On November 8, 2001, the People and Kucera filed 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) (2000)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2000)). *See* 35 Ill. Adm. Code 103.300(a).

Unless the Board determines that a hearing is needed, the Board must cause notice of the stipulation, proposed settlement, and request for relief from the hearing requirement. Any person may file a written demand for hearing within 21 days after receiving the notice. If anyone timely files a written demand for hearing, the Board will deny the parties' request for relief and hold a hearing. 415 ILCS 5/31(c)(2) (2000); 35 Ill. Adm. Code 103.300(b), (c). The Board directs the Clerk of the Board to provide the required notice.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on November 15, 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