

ILLINOIS POLLUTION CONTROL BOARD  
September 4, 1997

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 97-237
	)	(Enforcement - Air)
FRANK LEVATO, as an individual,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by J. Theodore Meyer):

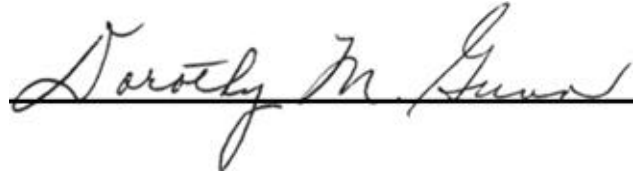
On June 30, 1997, the Illinois Attorney General, on behalf of the People of the State of Illinois and the Illinois Environmental Protection Agency (Agency), filed a formal complaint naming as a respondent Frank Levato as an individual, located at 4700 West Cermak Road, Cicero, Cook County, Illinois, concerning asbestos demolition and renovation activity performed at 1201 West Cermak, Broadview, Cook County, Illinois. On August 25, 1997, the parties filed a stipulation and proposal for settlement accompanied by a request for relief from the requirement of Section 31(c)(2) of the Environmental Protection Act (Act) that proposed stipulated settlements be presented at public hearing. 415 ILCS 5/31(c)(2) (1996).

Section 31(c)(2) of the Act provides that whenever a complaint has been filed on behalf of the Agency or by the People of the State of Illinois, the parties may file with the Board a stipulation and proposal for settlement accompanied by a request for relief from the requirement of a hearing. 415 ILCS 5/31(c)(2) (1996). The Board is required to cause notice of the stipulation, proposal and request for relief to be published, unless the Board, in its discretion, concludes that a hearing is necessary. The notice is required to include a statement that any person may file a written demand for hearing within 21 days after receiving the notice. If any person files a timely written demand for hearing, the Board will deny the request for relief from a hearing.

The Board accordingly directs the Clerk of the Board to cause publication of the required newspaper notice. The Board will reserve ruling on the parties' request for relief from the hearing requirement until after the statutory 21 days have passed.

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 4<sup>th</sup> day of September 1997, by a vote of 7-0.

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

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board