

ILLINOIS POLLUTION CONTROL BOARD
October 2, 2003

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 03-53
) (Enforcement - Water)
NORTHERN BUILDING CONCEPTS, INC.,)
an Illinois corporation, and LANDSCAPE)
CONCEPTS CONTRUCTION, INC., an)
Illinois corporation,)
)
Respondents.)

ORDER OF THE BOARD (by N.J. Melas):

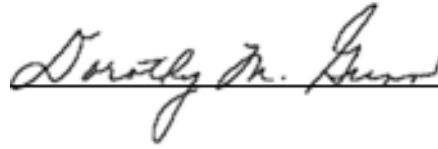
On October 24, 2002, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Northern Building Concepts, Inc., and Landscape Concepts Construction, Inc. (respondents). *See* 415 ILCS 5/31(c)(1) (2002), *amended by* P.A. 93-152, eff. July 10, 2003; 35 Ill. Adm. Code 103.204. The People allege that respondents violated Sections 12(a), (d), and (f) of the Environmental Protection Act (Act) (415 ILCS 5/12(a), (d), (f) 2002) and 35 Ill. Adm. Code 302.203. The People further allege that respondents violated these provisions by causing or allowing the discharge of storm water containing silt or sediment; causing or allowing a water pollution hazard at a tributary to wetlands; and discharging storm water without an National Pollutant Discharge Elimination System permit. The complaint concerns respondents' development of a residential site known as Depot Landings in Antioch, Lake County.

On September 24, 2003, the People and respondents 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) (2002) *amended by* P.A. 93-152, eff. July 10, 2003). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2002) *amended by* P.A. 93-152, eff. July 10, 2003). *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, the respondents neither admit nor deny the violations alleged in the complaint and agree to pay a total civil penalty of \$12,500.

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) (2002) *amended by* P.A. 93-152, eff. July 10, 2003); 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 October 2, 2003, 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