

ILLINOIS POLLUTION CONTROL BOARD  
December 4, 2003

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
Complainant, )  
)  
v. ) PCB 03-233  
) (Enforcement - Water)  
GERALD HEWING d/b/a HEWING )  
TECHNICAL SERVICES, )  
)  
Respondent. )

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

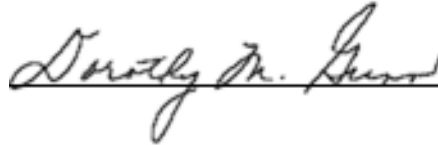
On June 18, 2003, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Gerald Hewing d/b/a Hewing Technical Services (Hewing). *See* 415 ILCS 5/31(c)(1) (2000); 35 Ill. Adm. Code 103.204. The People allege that Hewing violated Sections 9(a) 12(a), and (f) of the Environmental Protection Act (Act) 415 ILCS 5/9 and 12 (2002) and 35 Ill. Adm. Code 302.203 and 304.106. The People further allege that Hewing violated these provisions by allowing septic tank discharge to the waters of the State and by causing or allowing open burning. The complaint concerns Hewing's auto repair facility in Sigel, Shelby County.

On November 24, 2003, the People and Hewing 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)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2002)). *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, Hewing admits the alleged violations and agrees to pay a civil penalty of \$2,000.

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 December 4, 2003.

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

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board