

ILLINOIS POLLUTION CONTROL BOARD
November 6, 2003

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 02-5
)	(Enforcement – Land)
ENVIRONMENTAL MANAGEMENT AND)	
ABATEMENT, INC., a California corporation,)	
and DANNY G. KOHRDT, individually and as)	
president of Environmental Management and)	
Abatement, Inc.,)	
)	
Respondents.)	

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

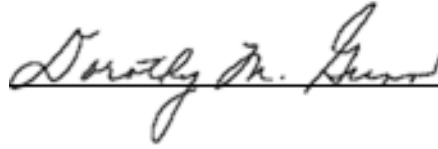
On July 19, 2001, the People of the State of Illinois (People) filed a two-count complaint against Environmental Management and Abatement, Inc., and Danny G. Kohrtdt, individually and as president of Environmental Management and Abatement, Inc. (respondents). Complainant alleged that respondents violated Section 21(a) and Section 21(d)(2) of the Environmental Protection Act (Act) (415 ILCS 5/21(a) and 5/21(d)(2) (2002)) and several subsections of Part 815 of the Board’s regulations (35 Ill. Adm. Code 815) by causing or allowing open dumping and failing to file required reports and information related to the on site disposal of waste at the Joliet Army Ammunition Plant located at 29401 South Route 53, Wilmington, Will County.

On October 8, 2003, the People and respondents filed a stipulation and proposed settlement. On October 15, 2003, the People and respondents filed a request for relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (2002)). These filings are 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, the respondents neither admit nor deny the alleged violations and agree to pay a civil penalty of \$50,000.

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) (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 November 6, 2003, by a vote of 6-0.

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

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board