

ILLINOIS POLLUTION CONTROL BOARD  
August 6, 1998

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
Complainant, )  
)  
v. ) PCB 98-85  
) (Enforcement - RCRA)  
THE CENTRAL ILLINOIS CONFERENCE )  
OF THE UNITED METHODIST CHURCH, )  
an Illinois not-for-profit corporation, )  
)  
Respondent. )

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

On June 15, 1998, the parties filed a stipulation and proposal for settlement. The Board accepts the stipulation and proposal for settlement filed by the parties in this matter. The complaint alleged that respondent violated Sections 21(a), 21(e), 21(f), and 22.2(f) of the Environmental Protection Act (Act) (415 ILCS 5/21(a), 21(e), 21(f), 22.2(f) (1996)) and 35 Ill. Adm. Code 725.113, 703.121, 703.150, 725.114, 725.115, 725.116, 725.117, 725.131, 725.132, 725.133, 725.134, 725.137, 725.151, 725.155, 725.156, 725.173, 725.175, 725.177, 725.190, 725.191, 725.192, 725.193, 725.212, 725.218, 725.242, 725.243, 725.244, 725.245, 725.273, 725.409, 725.412, 725.414, and 728.109, by causing or allowing open dumping; improperly disposing of waste; operating a hazardous waste storage facility without a permit; failing to develop and follow a written waste analysis plan; violating operating requirements for a hazardous waste storage/disposal facility; violating land disposal requirements; failing to implement and maintain a contingency plan; failing to appoint an emergency coordinator; failing to maintain an operating log; failing to submit an annual report; failing prepare and implement a groundwater sampling and monitoring program; failing to maintain a closure plan; failing to maintain a post-closure plan; failing to provide cost estimates for closure; failing to provide financial assurance for closure; failing to provide cost estimates and financial assurance for post-closure; and violating the record keeping requirement.

Pursuant to Section 31(a)(2) of the Act (415 ILCS 5/31(a)(2) (1996)), the Board caused publication of the required newspaper notice of the stipulation and proposal for settlement and request for relief from the hearing requirement. The Board did not receive any requests for hearing. Accordingly, the Board grants a waiver from the hearing requirement.

The stipulation and proposal for settlement sets forth the facts relating to the nature, operations, and circumstances surrounding the allegations in the complaint. Respondent neither admits nor denies the alleged violations and agrees to pay a civil penalty of \$15,000 and an additional \$40,076 to reimburse the Illinois Environmental Protection Agency for costs

it incurred at the site. Respondent must continue to comply with any federal, State, or local regulations including, but not limited to, the Act and the Board's regulations.

This opinion constitutes the Board's findings of fact and conclusions of law in this matter.

ORDER

1. The Board hereby accepts the stipulation and settlement agreement executed by the People of the State of Illinois and Central Illinois Conference of the United Methodist Church, an Illinois not-for-profit corporation, regarding its facility commonly known as East Bay Camp, located at RR2, Hudson, McClean County, Illinois. The stipulation and settlement agreement is incorporated by reference as though fully set forth herein.
2. Respondent shall make two settlement payments as follows:
  - a. within thirty (30) days from the date of this final Board order approving the parties' stipulation and proposal for settlement, respondent shall pay \$40,076 by certified check (or money order) payable to the Treasurer of the State of Illinois, designated to the Illinois Hazard Waste Fund to reimburse the Illinois Environmental Protection Agency for cost incurred at the site; and
  - b. within thirty (30) days from the date of this final Board order approving the parties' stipulation and proposal for settlement, respondent shall pay a civil penalty of \$15,000 by certified check (or money order) payable to the Treasurer of the State of Illinois, designated to the Environmental Protection Trust Fund.

The case number, case name, and respondent's social security number or federal employer identification number shall also be included on the check or (or money order).

3. The check (or money order) shall be sent by first class mail to:

Illinois Environmental Protection Agency  
Fiscal Services Division  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

A copy of the payment transmittal and check shall be simultaneously submitted to:

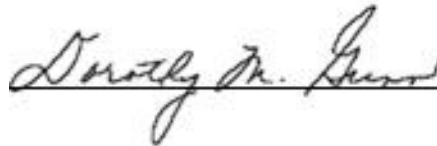
Susan W. Horn  
Assistant Attorney General's Office  
Office of the Illinois Attorney General  
100 West Randolph Street  
Chicago, Illinois 60601

4. Any such penalty not paid within the time prescribed shall incur interest at the rate set forth in subsection (a) of Section 1003 of the Illinois Income Tax Act, (35 ILCS 5/1003), as now or hereafter amended, from the date payment is due until the date payment is received. Interest shall not accrue during the pendency of an appeal during which payment of the penalty has been stayed.
5. Respondent shall cease and desist from the alleged violations.

IT IS SO ORDERED.

Section 41 of the Environmental Protection Act (415 ILCS 5/41 (1996)) provides for the appeal of final Board orders to the Illinois Appellate Court within 35 days of service of this order. Illinois Supreme Court Rule 335 establishes such filing requirements. See 172 Ill. 2d R. 335; see also 35 Ill. Adm. Code 101.246, Motions for Reconsideration.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above opinion and order was adopted on the 6th day of August 1998 by a vote of 7-0.



Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board