

ILLINOIS POLLUTION CONTROL BOARD
May 2, 2002

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 02-84
) (Enforcement – Water)
BILL PALMER, an individual d/b/a)
COMMERCIAL GROUP, FRANK)
GLOSKY, an individual d/b/a GLOSKY)
REALTY, and R.A.S. DEVELOPMENT,)
INC., an Illinois corporation,)
)
Respondents.)

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

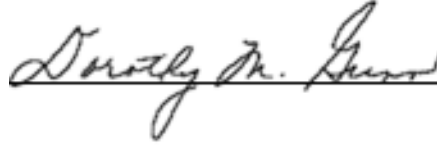
On December 20, 2001, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a four-count complaint against Bill Palmer d/b/a Commercial Group, Frank Glosky d/b/a Glosky Realty, and R.A.S. Development, Inc. (respondents). *See* 415 ILCS 5/31(c)(1) (2000); 35 Ill. Adm. Code 103.204. The People alleged that respondents violated Section 12(a) of the Environmental Protection Act (Act) (415 ILCS 5/12(a) (2000)), violated various provisions of the Board's water pollution regulations, and violated respondents' National Pollutant Discharge Elimination System (NPDES) permit. The People further allege that respondents violated these provisions by constructing storm water sewers in a manner that caused silt, sediment, and other solid material to discharge into Morgan Creek. The complaint concerns respondents' residential housing development near the intersection of Collins and Grove Roads, Oswego, Kendall County.

On April 18, 2002, 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) (2000)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2000)). *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 \$24,000.

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 May 2, 2002, 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