

ILLINOIS POLLUTION CONTROL BOARD
September 15, 2005

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 05-200
)	(Enforcement - Water)
GREG RUDEEN, individually and d/b/a)	
ROCK RIVER TOWNHOMES and d/b/a)	
RUDEEN AND ASSOCIATES,)	
)	
Respondent.)	

ORDER OF THE BOARD (by J.P. Novak):

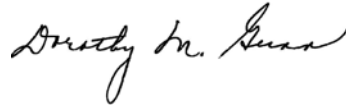
On May 23, 2005, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Greg Rudeen, individually and d/b/a Rock River Townhomes and d/b/a Rudeen and Associates. *See* 415 ILCS 5/31(c)(1) (2004); 35 Ill. Adm. Code 103.204. The People allege that Greg Rudeen violated Section 12(a), (d), and (f) of the Environmental Protection Act (Act) (415 ILCS 5/12(a), (d), and (f) (2004)) and 35 Ill. Adm. Code 309.102(a). The People further allege that Greg Rudeen violated these provisions by (1) causing, threatening, or allowing water pollution; (2) creating a water pollution hazard; and (3) prematurely terminating coverage under the general National Pollutant Discharge Elimination System permit for storm water discharges from construction activities before soil and sediment were fully stabilized. The complaint concerns Greg Rudeen's residential development at the intersection of Clifford Avenue and Park Ridge Road, Loves Park, Winnebago County.

On September 9, 2005, the People and Greg Rudeen 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) (2004)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2004)). *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, the Greg Rudeen admits the alleged violations and agrees to pay a civil penalty of \$8,000.

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 September 15, 2005, by a vote of 5-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn".

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board