## ILLINOIS POLLUTION CONTROL BOARD August 23, 2007

PEOPLE OF THE STATE OF ILLINOIS,	)
	)
Complainant,	)
	)
V.	)
	)
BELVIDERE NATIONAL BANK AND	)
TRUST COMPANY, TRUST NUMBER 1600	)
and CORDRAY BROTHERS, INC.,	)
	)
Respondents.	)

PCB 06-157 (Enforcement - Water)

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

On April 12, 2006, the Office of the Attorney General, on behalf of the People of the State of Illinois on her own motion and at the request of the Illinois Environmental Protection Agency (People), filed a four-count complaint against Belvidere National Bank and Trust Company, Trust Number 1600 and Cordray Brothers, Inc. (respondents). *See* 415 ILCS 5/31(c)(1) (2006); 35 Ill. Adm. Code 103.204. The complaint concerns respondents' sand and gravel facility in Bonus Township, Boone County.

The People allege that respondents violated Sections 12(a), (d), and (f) of the Environmental Protection Act (415 ILCS 5/12(a), (d), and (f) (2006)) and 35 Ill. Adm. Code 309.102(a) and 404.101(a)(2). The People further allege that respondents violated these provisions by failing to implement erosion controls and protect against stormwater runoff.

On August 20, 2007, 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) (2006)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2006)). *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, the respondents admit the alleged violations and agree to pay a civil penalty of \$15,000.

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) (2006); 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, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on August 23, 2007, by a vote of 4-0.

In T. Theriant

John T. Therriault, Assistant Clerk Illinois Pollution Control Board