

ILLINOIS POLLUTION CONTROL BOARD
July 24, 2003

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 04-9
)	(Enforcement - Air)
AARGUS PLASTICS, INC., an Illinois)	
corporation,)	
)	
Respondent.)	

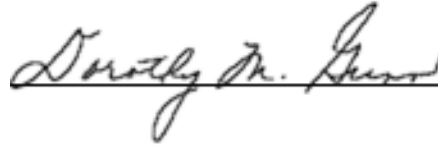
ORDER OF THE BOARD (by T.E. Johnson):

On July 17, 2003, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Aargus Plastics, Inc. (Aargus Plastics). *See* 415 ILCS 5/31(c)(1) (2002); 35 Ill. Adm. Code 103.204. At issue is the People’s allegation that Aargus Plastics violated Sections 9(a) and (b) and 39.5(6)(b) of the Environmental Protection Act (415 ILCS 5/ (2002)), 35 Ill. Adm. Code 201,302(a), 201.303, 205.150(c)(1), 205.300(b)(1), and 218.401(a), and conditions 5.5.1, 5.7.1, 6.7(a)(i), 7.1.3(b), (c), and (d), 7.1.6, 9.2.1, and 9.8 of Clean Air Act Permit Program operating permit number 95110088. The People further allege that Aargus Plastics violated these provisions by using flexographic printing inks that exceeded the maximum allowable volatile organic material (VOM) content after the deadline for using compliant inks and in violation of conditions set by permit, by failing to submit reports and certifications required by permit condition, by emitting VOM in excess of amounts allowed by permit condition and by regulations, by submitting false reports required by permit condition and regulations, by operating an emission source not in compliance with permit conditions, and by failing to submit required notification of non-compliance with permit conditions. The complaint concerns Aargus Plastics’ polyethylene bag manufacturing facility at 1415 Redeker Road, Des Plaines, Cook County.

The Board accepts the complaint for hearing. *See* 35 Ill. Adm. Code 103.212(c). A respondent’s failure to file an answer to a complaint within 60 days after receiving the complaint may have severe consequences. Generally, if Aargus Plastics fails within that timeframe to file an answer specifically denying, or asserting insufficient knowledge to form a belief of, a material allegation in the complaint, the Board will consider Aargus Plastics to have admitted the allegation. 35 Ill. Adm. Code 103.204(d). The Board directs the hearing officer to proceed expeditiously to hearing.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on July 24, 2003, by a vote of 6-0.

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

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board