



on the reasonableness of the circumstances surrounding the alleged violations. Menasha Packaging admits the alleged violation. The stipulation also addresses the factors of Section 42(h) of the Act (415 ILCS 5/42(h) (2022)), which may mitigate or aggravate the civil penalty amount. Under the proposed settlement, Menasha Packaging agrees to pay a civil penalty of \$37,500 within 30 days after the date of this order. The People and Menasha Packaging have satisfied Section 103.302. The Board accepts the stipulation and proposed settlement.

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

### **ORDER**

1. The Board accepts and incorporates by reference the stipulation and proposed settlement.
2. Menasha Packaging must pay a civil penalty of \$37,500 no later than Monday, April 21, 2025, which is the first business day following the 30th day after the date of this order. Menasha Packaging must pay the civil penalty by certified check or money order payable to the Illinois Environmental Protection Agency for deposit into the Environmental Protection Trust Fund. The case name and case number must appear on the certified check or money order.
3. Menasha Packaging must submit payment of the civil penalty to:

Illinois Environmental Protection Agency  
Fiscal Services Division  
2520 West Iles Avenue  
P.O. Box 19276  
Springfield, Illinois 62794-9276

Menasha Packaging must send a copy of the certified check or money order and any transmittal letter to:

Justin Bertsche, Assistant Attorney General  
Environmental Bureau  
Illinois Attorney General's Office  
69 West Washington Street, Suite 1800  
Chicago, Illinois 60602

4. Penalties unpaid within the time prescribed will accrue interest under Section 42(g) of the Environmental Protection Act (415 ILCS 5/42(g) (2022)) at the rate set forth in Section 1003(a) of the Illinois Income Tax Act (35 ILCS 5/1003(a) (2022)).
5. Menasha Packaging must cease and desist from future violations of the Environmental Protection Act that were the subject of the complaint.

IT IS SO ORDERED.

Section 41(a) of the Environmental Protection Act provides that final Board orders may be appealed directly to the Illinois Appellate Court within 35 days after the Board serves the order. 415 ILCS 5/41(a) (2022); *see also* 35 Ill. Adm. Code 101.300(d)(2), 101.906, 102.706. Illinois Supreme Court Rule 335 establishes filing requirements that apply when the Illinois Appellate Court, by statute, directly reviews administrative orders. 172 Ill. 2d R. 335. The Board's procedural rules provide that motions for the Board to reconsider or modify its final orders may be filed with the Board within 35 days after the order is received. 35 Ill. Adm. Code 101.520; *see also* 35 Ill. Adm. Code 101.902, 102.700, 102.702. Filing a motion asking that the Board reconsider this final order is not a prerequisite to appealing the order. 35 Ill. Adm. Code 101.902.

<b>Names and Addresses for Receiving Service of Any Petition for Review Filed with the Appellate Court</b>	
<b>Parties</b>	<b>Board</b>
Justin Bertsche, Assistant Attorney General Environmental Bureau Illinois Attorney General's Office 69 West Washington Street, Suite 1800 Chicago, Illinois 60602 <a href="mailto:Justin.Bertsche@ilag.gov">Justin.Bertsche@ilag.gov</a>	Illinois Pollution Control Board Attn: Don A. Brown, Clerk 60 East Van Buren Street, Suite 630 Chicago, Illinois 60605 <a href="mailto:don.brown@illinois.gov">don.brown@illinois.gov</a>
Menasha Packaging Company, LLC Attn.: Thomas Curran, Director Safety, Security, and Crisis Management 7800 West 71st Street Bridgeview, Illinois 60455 <a href="mailto:thomas.curran@menasha.com">thomas.curran@menasha.com</a>	

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above opinion and order on March 20, 2025, by a vote of 5-0.



Don A. Brown, Clerk  
Illinois Pollution Control Board