

ILLINOIS POLLUTION CONTROL BOARD

August 9, 2001

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 01-61
)	(Enforcement – Air)
ROLL SERVICE, INC.,)	
)	
Respondent.)	

OPINION AND ORDER OF THE BOARD (by S.T. Lawton, Jr.):

On July 6, 2001, the People of the State of Illinois (People) and respondent, Roll Service, Inc. (Roll Service) filed a joint stipulation and proposal for settlement. The Board accepts the stipulation and proposal for settlement by the two parties in this matter.

The complaint alleges that respondent failed to comply with national emissions standards for chromium emissions at its electroplating facility, located at 17025 South Wallace Avenue in South Holland, Cook County, Illinois. This activity is in alleged violation of Section 9.1(d)(1) of the Environmental Protection Act (Act) (415 ILCS 5/9.1(d)(1) (2000)); and Sections 63.342, 63.343, 63.343(b)(1), 63.343(c), 63.346 and 63.347 of the Code of Federal Regulations (40 C.F.R. 63.342, 63.343, 63.343(b)(1), 63.343(c), 63.346, 63.347).

Pursuant to Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2000)), the Board caused publication of the required newspaper notice of the stipulation and proposal for settlement and request for relief from the hearing requirement. The notice appeared in the *Daily Southtown* on July 13, 2001. The Board has not received any requests for hearing. Accordingly, the Board grants a waiver from the hearing requirement.

The stipulation and proposal for settlement between the People and Roll Service forth the facts relating to the nature, operations, and circumstances surrounding the allegations in the complaint. Roll Service, Inc. admits the alleged violations in counts I and II of the complaint as listed above and proposes to pay a \$15,000 penalty according to the schedule in the order below. According to the joint stipulation and proposal for settlement, Roll Service purchased and installed control equipment at the facility, which is now operating in compliance with the Act and Board regulations. Roll Service must continue to comply with any federal, State, or local regulations including, but not limited to, the Act and the Board's regulations.

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

ORDER

1. The Board hereby accepts the stipulation and settlement agreement executed by the People of the State of Illinois and Roll Service, Inc. (Roll Service), concerning the failure by Roll Service to comply with national emissions standards for chromium emissions at its electroplating facility, located at 17025 South Wallace Avenue in South Holland, Cook County, Illinois. The stipulation and settlement agreement is incorporated by reference as though fully set forth herein.
2. Roll Service must pay \$7,500 within 30 days of the date of this order, which is on or before September 8, 2001. Roll Service must then make three payments of \$2,500 each, due 60 days, 90 days, and 120 days after the date the Board adopts this order. In total, Roll Service must pay \$15,000 by 120 days of the date of this order. Roll Service must make the payments by certified check or money order, payable to the Treasurer of the State of Illinois, and designated to the Environmental Protection Trust Fund. The case number, case name, and the Federal Employer Identification Number of Roll Service, Inc., shall also be included on each check or money order, and should clearly indicate that payment is directed to the Environmental Protection Trust Fund.
3. The checks or money orders shall be sent by first class mail to:

Illinois Environmental Protection Agency
Fiscal Services Division
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

A copy of the payment transmittal and check or money order must be simultaneously submitted to:

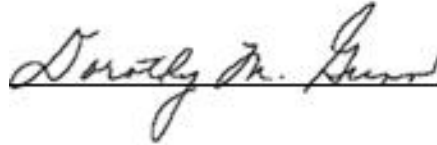
Christopher Grant
Assistant Attorney General
Illinois Attorney General's Office
Environmental Bureau
188 W. Randolph Street, 20th Floor
Chicago, Illinois 60601

4. Any such penalty not paid within the time prescribed shall incur interest at the rate set forth in subsection (a) of Section 1003 of the Illinois Income Tax Act, (35 ILCS 5/1003 (2000)), as now or hereafter amended, from the date payment is due until the date payment is received. Interest shall not accrue during the pendency of an appeal during which payment of the penalty has been stayed.
5. Respondent shall cease and desist all future violations of any federal, State, or local statutes and regulations.

IT IS SO ORDERED.

Section 41 of the Environmental Protection Act (415 ILCS 5/41 (2000)) provides for the appeal of final Board orders to the Illinois Appellate Court within 35 days of the date of service of this order. Illinois Supreme Court Rule 335 establishes such filing requirements. See 172 Ill. 2d R. 335; see also 35 Ill. Adm. Code 101.520, Motions for Reconsideration.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above opinion and order was adopted on the 9th day of August 2001 by a vote of 6-0.

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

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board