

ILLINOIS POLLUTION CONTROL BOARD  
January 10, 2002

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
Complainant, )  
)  
v. ) PCB 02-81  
) (RCRA Enforcement)  
TOSCO REFINING COMPANY, a division of )  
TOSCO CORPORATION, a Nevada )  
corporation, )  
)  
Respondent. )

ORDER OF THE BOARD (by C.A. Manning):

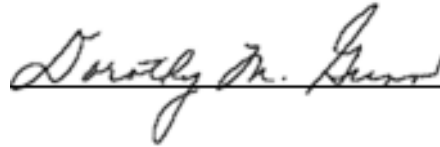
On December 19, 2001, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a six-count complaint against Tosco Refining Company (Tosco). *See* 415 ILCS 5/31(c)(1) (2000); 35 Ill. Adm. Code 103.204. The People allege that Tosco violated Section 21 of the Environmental Protection Act (Act) (415 ILCS 5/21 (2000)) and various provisions of the Board's hazardous and special waste disposal regulations. The People further allege that Tosco violated these provisions by shipping waste sandblast sand containing lead to a facility that is not permitted to accept hazardous waste, and failing to properly document the shipment as hazardous waste. The complaint concerns Tosco's petroleum refinery located at 900 South Central Avenue, Roxana, Madison County.

Additionally, on December 19, 2001, the People and Tosco 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) (2000)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2000)). *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, Tosco neither admits nor denies the alleged violations, but would pay a \$25,000 penalty.

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 January 10, 2002, 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