

ILLINOIS POLLUTION CONTROL BOARD
April 26, 1990

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	
)	
v.)	PCB 89-187
)	(Enforcement)
UNR'ROHN, a Division of)	
UNR, Inc., a Delaware)	
corporation,)	
)	
Respondent.)	

OPINION AND ORDER OF THE BOARD BY (J. Anderson):

This matter comes before the Board upon a complaint filed on November 13, 1989, on behalf of the Illinois Environmental Protection Agency ("Agency"), by and through its attorney, Neil F. Hartigan, Attorney General of the State of Illinois, against Unr'Rohn, Inc., a Texas corporation, located in Peoria, Peoria County, Illinois, and Robert Penn, as President of Unr'Rohn, Inc. An amended complaint was filed with the Board on January 16, 1990, naming only Unr'Rohn, a Division of Unr, Inc., a Delaware corporation, ("Unr'Rohn") as respondent. The amended complaint alleges that Unr'Rohn has violated Sections 12(a) and 12(f) of the Illinois Environmental Protection Act ("Act"), Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 1012(a) and 1012(f) and 35 Ill. Adm. Code 302.208, 302.212, 309.102(a), and 309.103(d) of the Board's rules and regulations.

Hearing on this matter was held on March 8, 1990, in Peoria, Illinois. At the hearing, the parties submitted a Stipulation and Settlement Agreement, executed by the parties. The Stipulation sets forth a full stipulation of all material facts pertaining to the nature, operations, and circumstances surrounding the claimed violations. Unr'Rohn admits to past violations of Sections 12(a), (b), and (f) of the Act and 35 Ill. Adm. Code 302.208, 302.212, 304.105, 309.102(a), 309.103(d), and 309.154(a) and agrees to pay a civil penalty of \$5,000.00.

The Board finds the Settlement Agreement acceptable under 35 Ill. Adm. Code 103.180.

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

ORDER

The Board hereby accepts the Stipulation and Settlement Agreement executed by the Agency and Unr'Rohn concerning Unr'Rohn's steel galvanizing and fabricating operations, located in Peoria, Illinois. The Stipulation and Settlement Agreement is incorporated by reference as though fully set forth herein.


Respondent shall pay the sum of \$5,000.00 within 30 days of this Order. Such payment shall be made by certified check or money order payable to the Treasurer of the State of Illinois, designated to the Environmental Trust Fund, and submitted by first class mail to:

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
Fiscal Services Division
2200 Churchill Road
P.O. Box 19276
Springfield, Illinois 62794-9276

Unr'Rohn shall also write its Federal Employer Identification Number or Social Security Number upon the certified check or money order.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 26th day of April, 1990, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board