

ILLINOIS POLLUTION CONTROL BOARD  
August 10, 1989

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Petitioner, )  
 )  
v. ) PCB 89-18  
 )  
PLASTICS, INC., a )  
foreign corporation, )  
 )  
Respondent. )

CHRISTINE S. BUCKO, ASSISTANT ATTORNEY GENERAL, APPEARED ON BEHALF OF PETITIONER.

CHARLES F. HELSTEN APPEARED ON BEHALF OF THE RESPONDENT.

OPINION AND ORDER OF THE BOARD (by J. Marlin):

This matter comes before the Board upon a complaint filed 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 Plastics, Inc. (Plastics). The complaint alleges that Plastics has violated Section 9(b) of the Environmental Protection Act (Act), Ill. Rev. Stat. 1987, ch. 111½, par. 1009(b), and 35 Ill. Adm. Code 201.143.

Hearing on this matter was held on June 27, 1989 in Rockford, Illinois. At hearing respondent's counsel entered a Stipulation and Proposal for Settlement (Stipulation), executed by the parties. The Stipulation addresses the facts and proposed terms of settlement in this matter. No members of the public attended the hearing. Plastics neither admits nor denies the violations of Section 9 of the Act and 35 Ill. Adm. Code 201.143, as alleged by the Agency in the complaint filed in this action.

The Board finds the stipulation 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

It is the order of the Illinois Pollution Control Board that:

- 1) The Board hereby accepts the Stipulation and Proposal for Settlement executed by Plastics, Inc. (Plastics) and the Illinois

Environmental Protection Agency (Agency) concerning Plastics' manufacturing business located at 501 North Elida, Winnebago County, Illinois and filed with the Board on July 10, 1989. The Stipulation and the Proposal for Settlement is incorporated by reference as though set forth herein.

- 2) Plastics, by certified check or money order payable to the Treasurer of the State of Illinois and designated for deposit into the Environmental Protection Trust Fund, shall pay the sum of \$1,000 (one thousand dollars). The sum shall be paid within 30 days from the date of this Order which approves, accepts and incorporates this Stipulation and Proposal for Settlement.
- 3) The payment shall be sent by first class mail to:

Illinois Environmental Protection Agency  
Fiscal Services Division  
2200 Churchill Road  
P.O. Box 19276  
Springfield, IL 62794-9276

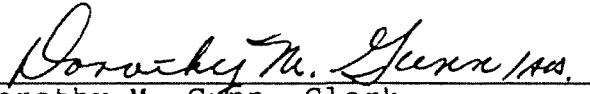
The name of the respondent and case number shall also be noted on the check or money order. In order to aid in the processing of payment, Plastics shall include its Federal Tax Identification Number on its check or money order or letter of transmittal accompanying the check or money order.

Section 41 of the Environmental Protection Act, Ill. Rev. Stat. 1987 ch. 111  $\frac{1}{2}$  par. 1041, provides for appeal of final Orders of the Board within 35 days. The Rules of the Supreme Court of Illinois establish filing requirements.

IT IS SO ORDERED.

J. Theodore Meyer dissented.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 10<sup>th</sup> day of August, 1989, by a vote of 6-1.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board