

ILLINOIS POLLUTION CONTROL BOARD
September 7, 2000

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 01-41
)	(Enforcement - Air)
SOMMER PRODUCTS COMPANY, INC., an Illinois)	
corporation,)	
)	
Respondent.)	

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

On August 28, 2000, the People of the State of Illinois filed a complaint against respondent Sommer Products Company, Inc. The complaint alleges that respondent failed to conduct an initial performance test for chromium emissions at its facility at 7100 South Adams, Peoria, Peoria County, Illinois, in violation of Section 63.343(b) of the National Emission Standards for Hazardous Air Pollutants, 40 C.F.R. § 63.343 (1998) and Section 9.1(d) of the Environmental Protection Act (Act) (415 ILCS 5/9.1(d) (1998)).

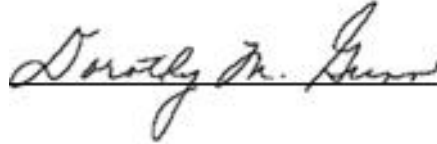
In addition to the complaint, the parties filed a stipulation and proposal for settlement, accompanied by a motion requesting relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (1998)). In the proposed stipulation the respondent neither admits nor denies the alleged violations, but proposed to pay a \$7,500 penalty.

Pursuant to Section 31(c)(2) of the Act, the complainant may file with the Board a stipulation and proposal for settlement accompanied by a request for relief from the hearing requirement. (415 ILCS 5/31(c)(2) (1998)). Unless the Board determines that a hearing is needed, the Board is required to publish notice of the stipulation and proposal for settlement and request for relief from the hearing requirement.

Accordingly, the Board directs the Clerk of the Board to cause publication of the required newspaper notice. Any person may file a written demand for hearing within 21 days of the published notice. If a hearing is requested, the Board will deny the parties' request for relief and schedule a hearing.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 7th day of September 2000 by a vote of 7-0.

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

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board