

ILLINOIS POLLUTION CONTROL BOARD
September 21, 2000

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 00-203
) (Enforcement - Air)
BARRON INDUSTRIES, INC., an Illinois corporation,)
)
Respondent.)
)

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

On May 26, 2000, the People of the State of Illinois filed a seven-count complaint against respondent Barron Industries, Inc. The complaint alleges that respondent failed to comply with emissions limitations, constructed emission sources without a permit, operated emission sources without a permit, failed to comply with batch vapor and in-line cleaning machine standards, failed to comply with monitoring procedures, failed to comply with record keeping requirements, and failed to comply with reporting requirements at its facility at 129 Morgan Street, Rockford, Winnebago County, Illinois. These activities were in alleged violation of Section 9(b), 9.1(d)(1) and (d)(2) of the Environmental Protection Act (Act) (415 ILCS 5/9(b), 5/9.1(d)(1), (d)(2) (1998)), Sections 201.142, 201.143 of the Board's air pollution regulations, 35 Ill. Adm. Code 201.142, 201.143, Section 63.343(e)(1), (e)(2), and (e)(4), 63.466(a)(1) and (a)(2), (b)(2), (c)(1) and (d), and 63.467(b)(1), 63.468(f) of the National Emission Standards for Hazardous Air Pollutants, 40 C.F.R. § 63.343(e)(1), (e)(2), (e)(4), 63.466(a)(1), (a)(2), (b)(2), (c)(1), (d), 63.467(b)(1), 63.468(f), and special conditions 1a and 8 of respondent's Federally Enforceable State Operating Permit (FESOP).

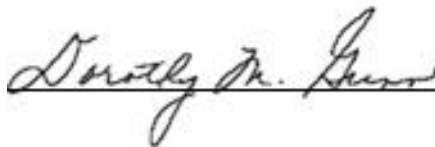
On September 18, 2000, the parties filed a stipulation and proposal for settlement, accompanied by a motion requesting relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (1998)). In the proposed stipulation the respondent admits the violations alleged in counts I and IV through VII, but denies the alleged violations contained in counts II and III. Respondent proposes to pay a \$20,000 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 21st day of September 2000 by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board