

ILLINOIS POLLUTION CONTROL BOARD

November 2, 2000

PEOPLE OF THE STATE OF ILLINOIS, )  
 )  
 Complainant, )  
 )  
 v. ) PCB 00-86  
 ) (Enforcement - Air)  
 RODGERS ENGINEERING CORPORATION, )  
 )  
 Respondent. )  
 )

ORDER OF THE BOARD (by M. McFawn):

On November 15, 1999, the People of the State of Illinois (People) filed a three-count complaint against respondent Rogers Engineering Corporation (Rogers), a manufacturer of thermostat polystyrene bulk molding compounds. The complaint alleges Rogers failed to timely submit Clean Air Act permit applications, failed to submit annual emission reports, and constructed and operated new emission sources and new air pollution control equipment without a permit at its materials division facility in Elburn, Kane County, Illinois, and its two molding division facilities in Addison, Dupage County, Illinois. These activities were in alleged violation of Sections 9(a), 9(b), and 39.5(6)(b) of the Environmental Protection Act (Act) (415 ILCS 5/9(a), 9(b), 39.5(6)(b) (1998)), Section 270.201 of the Agency's rules at 35 Ill. Adm. Code 270.201(c), and Sections 201.142, 201.143, 201.302(a), 254.301(a), and 254.302 of the Board's air pollution regulations at 35 Ill. Adm. Code 201.142, 201.143, 201.302(a), 254.301(a), 254.302.

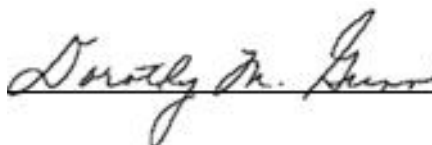
In addition to the complaint, on October 17, 2000, the parties filed a stipulation and proposal for settlement, accompanied by a motion requesting relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (1998)). In the proposed stipulation Rogers admits the allegations alleged in the complaint. Rogers proposes to pay a \$20,000 penalty.

Pursuant to Section 31(c)(2) of the Act, the parties 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 2nd day of November 2000 by a vote of 7-0.



Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board