

ILLINOIS POLLUTION CONTROL BOARD

December 7, 2000

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 97-147
)	(Enforcement – Water, RCRA)
J. D. PLATING WORKS, INC.,)	
)	
Respondent.)	

ORDER OF THE BOARD (by N.J. Melas):

On February 28, 1997, the People of the State of Illinois (People) filed a nine-count complaint against respondent J. D. Plating Works, Inc. (Plating), a metal electroplater. The complaint alleges Plating conducted a hazardous waste management facility without a Resource Conservation and Recovery Act (RCRA) permit, conducted a hazardous waste thermal treatment unit without a RCRA permit, failed to maintain operating records, failed to submit annual reports, failed to maintain a written closure plan, failed to have a cost estimate for closure, caused a water pollution hazard, failed to properly maintain and operate a disposal facility, and stored hazardous wastes in open containers at its facility located at 1424 12th Street, Waukegan, Lake County, Illinois. These actions are in alleged violation of Sections 12(f)(2), 21(d), 21(f)(1) and (f)(2) of the Environmental Protection Act (Act) (415 ILCS 5/12(f)(2), 21(d), (f)(1), (f)(2) (1998)) and the Board's waste disposal regulations at 35 Ill. Adm. Code 703.121(a) and (a)(1), 725.131, 725.173(a), 725.175, 726.212(a), 725.242(a), 725.273(a).

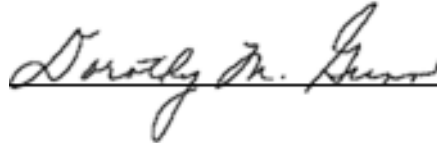
On November 20, 2000, the parties filed a stipulation and proposal for settlement, accompanied by a motion requesting relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (1998)). In the proposed stipulation Plating neither admits nor denies the allegations contained in the complaint. Plating proposes to pay a \$10,000 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 7th day of December 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