

ILLINOIS POLLUTION CONTROL BOARD  
September 19, 2002

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 02-185
	)	(Enforcement - Air)
FERRARA PAN CANDY COMPANY,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by M.E. Tristano):

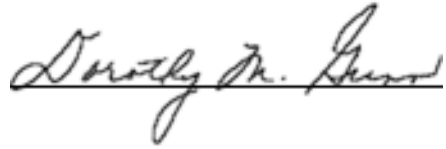
On April 23, 2002, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Ferrara Pan Candy Company (Ferrara). *See* 415 ILCS 5/31(c)(1) (2000) *as amended by* P.A. 92-0574, eff. June 26, 2002; 35 Ill. Adm. Code 103.204. The People allege that Ferrara violated various provisions of the Environmental Protection Act, the Board’s air pollution regulations, and its Federally Enforceable State Operating Permit. The People further allege that Ferrara violated these provisions by emitting volatile organic material through the uncontrolled operation of its equipment. The complaint concerns Ferrara’s candy manufacturing facility located at 7301 West Harrison Street, Forest Park, Cook County.

On September 12, 2002, the People and Ferrara filed a stipulation and proposed settlement, accompanied by a request for relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (2000) *as amended by* P.A. 92-0574, eff. June 26, 2002). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2000) *as amended by* P.A. 92-0574, eff. June 26, 2002). *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, Ferrara neither admits nor denies the alleged violations but agrees to pay a civil penalty of \$371,688.00.

Unless the Board determines that a hearing is needed, the Board must cause notice of the stipulation, proposed settlement, and request for relief from the hearing requirement. Any person may file a written demand for hearing within 21 days after receiving the notice. If anyone timely files a written demand for hearing, the Board will deny the parties’ request for relief and hold a hearing. 415 ILCS 5/31(c)(2) (2000) *as amended by* P.A. 92-0574, eff. June 26, 2002; 35 Ill. Adm. Code 103.300(b), (c). The Board directs the Clerk of the Board to provide the required notice.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on September 19, 2002, by a vote of 7-0.

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

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board