ILLINOIS POLLUTION CONTROL BOARD February 6, 2003

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 00 -103
)	(Enforcement - Air)
MANO NEGRA WRECKING CORP.,)	
an Illinois corporation, and FERNANDO)	
O. ZAMORA, individually and as president)	
of MANO NEGRA WRECKING CORP.,)	
)	
Respondent.)	
±	,	

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

On December 20, 1999, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Mano Negra Wrecking Corp., an Illinois corporation, and Fernando O. Zamora, individually and as president of Mano Negra Wrecking Corp.. *See* 415 ILCS 5/31(c)(1) (2002); 35 Ill. Adm. Code 103.204. The People allege that respondents violated various provisions of the Act, the Board's air pollution regulations, and the federal National Emission Standards for Hazardous Air Pollutants. The People further allege that respondents violated these provisions by failure to provide a completed notification of demolition; by failure to adequately wet asbestos containing waste material; causing or allowing open dumping; and causing or allowing litter. The complaint concerns respondents' demolition of structures located in a residential neighborhood at 2635 East 100th Street and 10601 South Torrence Avenue, Chicago, Cook County.

On January 27, 2003, the People and respondents 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) (2002)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2002)). See 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, the respondents neither admits nor denies the alleged violations, and Mano Negra Corp agrees to pay a civil penalty of \$20,000 and Fernando O. Zamora agrees to pay a civil penalty of \$5,000.

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) (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 February 6, 2003, by a vote of 7-0.

Dorothy M. Gunn, Clerk Illinois Pollution Control Board