

ILLINOIS POLLUTION CONTROL BOARD
June 3, 2004

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 04-206
) (Enforcement - Land)
MEDICAL WASTE SOLUTIONS, INC., an)
Illinois corporation,)
)
Respondent.)

ORDER OF THE BOARD (by J.P. Novak):

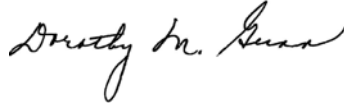
On May 21, 2004, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Medical Waste Solutions, Inc. (Medical Waste Solutions). *See* 415 ILCS 5/31(c)(1) (2002); 35 Ill. Adm. Code 103.204. The People allege that Medical Waste Solutions violated Section 56.1(A)(b) and (A)(f) of the Environmental Protection Act (Act) (415 ILCS 5/56.1(A)(f) (2002)); 35 Ill. Adm. Code 1421.141(b) and (g); and standard conditions 2, 3, 17, and 19 of potentially infectious medical waste (PIMW) permit #M9035. The People further allege that Medical Waste Solutions violated these provisions by hauling PIMW in an unauthorized vehicle, leaving a PIMW-containing compartment open while the vehicle was unattended, failing to mark both sides of the vehicle with PIMW decals and the permit number, and failing to keep a copy of an emergency response plan in the vehicle. The complaint concerns Medical Waste Solutions' PIMW collection and hauling service from a medical facility at 450 Illinois Route 22, Barrington, Lake County.

On May 21, 2004, the People and Medical Waste Solutions also 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 Medical Waste Solutions neither admits nor denies the alleged violations but agrees to pay a civil penalty of \$13,000.

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) (2000); 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 June 3, 2004, by a vote of 5-0.

A handwritten signature in cursive script, appearing to read "Dorothy M. Gunn".

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board