

ILLINOIS POLLUTION CONTROL BOARD

August 5, 2004

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 01-1
	)	(Enforcement - Air)
METALS TECHNOLOGY CORPORATION,	)	
	)	
Respondent.	)	

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

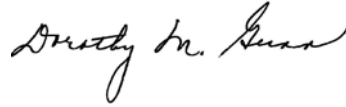
On July 3, 2000, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a six-count complaint against Metals Technology Corporation (MTC). *See* 415 ILCS 5/31(c)(1) (2002); 35 Ill. Adm. Code 103.204. The People allege that MTC violated Sections 9(b), 9.1(d), 9.8(b), 39.5(6)(b) of the Environmental Protection Act (Act) and Sections 201.142, 201.143, 203.201, 270.301, and 205.310 of the Board's air pollution regulations. 415 ILCS 5/9(b), 9.1(d), 9.8(b), 39.5(6)(b) (2002); 35 Ill. Adm. Code 201.142, 201.143, 203.201, 270.301, and 205.310. The People further allege that MTC violated these provisions by failing to obtain construction and operating permits for a new air pollution emission source; failing to obtain a construction permit for a major stationary source of a hazardous air pollutant located in a severe ozone nonattainment area; failing to timely submit a Clean Air Act Permit Program (CAAPP) application; failing to timely submit an Emission Reduction Market System (ERMS) application; and failing to demonstrate compliance with the National Emission Standard for Hazardous Air Pollutants applicable to halogenated solvent cleaning. The complaint concerns MTC's metal treating facility located at 120 North Shmale Road, Carol Stream, DuPage County.

On July 30, 2004, the People and MTC 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 MTC neither admits nor denies the alleged violations and agrees to pay a civil penalty of \$50,000.

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 August 5, 2004, by a vote of 4-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn".

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board