

ILLINOIS POLLUTION CONTROL BOARD
December 2, 2004

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.)
) PCB 01-2
NATIONAL MATERIAL L. P. an Illinois) (Enforcement - Air)
limited partnership d/b/a NATIONAL)
LAMINATION COMPANY, and NM)
HOLDING, INC., a Nevada corporation,)
)
Respondents.)

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

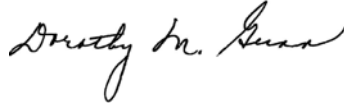
On July 5, 2000, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against National Material L. P. and NM Holding, Inc. (respondents) *See* 415 ILCS 5/31(c)(1) (2002); 35 Ill. Adm. Code 103.204. The People allege that the respondents violated Section 9(a) and (b) and 39.5(6)(b) of the Environmental Protection Act (Act) (415 ILCS 5/9(a) and (b) and 39.5(6)(b) (2002)) and 35 Ill. Adm. Code 201.142 through 201.144, 201.302(a), 203.201, and 270.301(a). The People further allege that the respondents violated these provisions by (1) constructing an emissions source without a permit; (2) operating an emissions source without a permit; (3) operating a major stationary source without a Clean Air Act Operating Permit Program permit; (4) failing to submit annual emissions reports; and (5) undertaking a major modification of an air emissions source without a permit. The complaint concerns the respondents' manufacturing facility at 555 Santa Rosa Drive, Des Plaines, Cook County.

On November 19, 2004, the People and the 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 admit nor deny the alleged violations but agree 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) (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 December 2, 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