

ILLINOIS POLLUTION CONTROL BOARD

February 3, 2005

| | | |
|---|---|---------------------------|
| PEOPLE OF THE STATE OF ILLINOIS, |) | |
| |) | |
| Complainant, |) | |
| |) | |
| v. |) | PCB 04-50 |
| |) | (Enforcement - Air, Land) |
| MacMURRAY COLLEGE, an Illinois not-for- |) | |
| pecuniary profit corporation, |) | |
| |) | |
| Respondent. |) | |

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

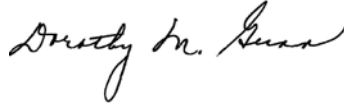
On October 9, 2003, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a two-count complaint against MacMurray College. *See* 415 ILCS 5/31(c)(1) (2002); 35 Ill. Adm. Code 103.204. The People allege that MacMurray College violated Sections 9.1(d), 21(a), (d)(1) and (2), (e), and (p)(1) and (7) of the Environmental protection Act (Act), Sections 722.111, 739.122(c)(1), 808.121(a), and 812.101(a) of the Board's hazardous and solid waste regulations, and several sections of the federal National Emissions Standards for Hazardous Air Pollutants (NESHAP) for asbestos. 415 ILCS 5/9.1(d), 21(a), (d)(1) and (2), (e), and (p)(1) and (7) (2002); 35 Ill. Adm. Code 722.111, 739.122(c)(1), 808.121(a), and 812.101(a). The People further allege that MacMurray College violated these provisions while renovating an old fieldhouse owned by the private college. The complaint concerns renovation activities conducted in 2001 at a fieldhouse located at 460 Hardin Street, Jacksonville, Morgan County.

On January 20, 2005, the People and MacMurray College 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, MacMurray College neither admits nor denies the alleged violations and agrees to implement and complete a supplemental environmental project (SEP) in lieu of paying a civil penalty. Under the SEP, MacMurray College agrees to collect used computers and computer monitors from the community, donate the usable equipment to charitable organizations for use or resale, and dispose of the non-usable equipment in an environmentally acceptable manner.

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 3, 2005, by a vote of 4-0.

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

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board