

ILLINOIS POLLUTION CONTROL BOARD
March 3, 2005

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Petitioner,)	
)	
v.)	
)	PCB 04-178
NED MANDICH d/b/a H.B.M.)	(Enforcement - Air)
ELECTROCHEMICAL COMPANY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by G.T. Girard):

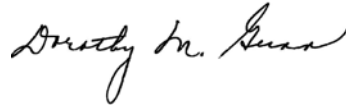
On April 8, 2004, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a three-count complaint against the Ned Mandich d/b/a H.B.M. Electrochemical Company (respondent). *See* 415 ILCS 5/31(c)(1) (2002); 35 Ill. Adm. Code 103.204. The People allege that respondent violated Sections 9(b) and 9.1(d)(1) of the Environmental Protection Act (Act) (415 ILCS 5/9(b) and 9.1(d)(1) (2002)), 40 C.F.R. § 63.343(c)(1)(ii), 63.342(c)(1)(i), and 63.347(h), and 35 Ill. Adm. Code 201.143. The People further allege that respondent violated these provisions by operating a hard chromium electroplating facility capable of emitting or emitting contaminants into the air. The complaint concerns respondent's facility located at 2800 Bernice Road, Lansing, Cook County.

On February 23, 2005, the People and respondent 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 respondent admits the alleged violations and agrees to pay a civil penalty of \$15,100.

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 March 3, 2005, by a vote of 5-0.

A handwritten signature in cursive script that reads "Dorothy M. Gunn".

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board