ILLINOIS POLLUTION CONTROL BOARD October 6, 2005

PEOPLE OF THE STATE OF ILLINOIS,)	
Complainant,)	
V.)	PCB 05-28
COLOR COMMUNICATIONS, INC. an)	(Enforcement - Air)
Illinois corporation,)	
Respondent.)	

ORDER OF THE BOARD (by T.E. Johnson):

On August 13, 2004, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Color Communications, Inc. (Color Communications). The complaint concerns Color Communications' color display systems manufacturing facilities (two sites) at 4000 and 4242 West Fillmore, in Chicago, Cook County. The Board accepted the complaint for hearing on August 19, 2004.

In the complaint, the People allege that Color Communications violated Section 9(a) and 39.5(6)(a) of the Environmental Protection Act (Act) and various Board regulations by (1) failing to maintain and operate permanent total enclosure and achieve required control efficiency on its coating line #3; (2) failing to report non-compliance on its coating line #3; (3) failing to provide an Emissions Reduction Market System (ERMS) account officer and submit ERMS submittals; (4) violating the Clean Air Act Permit Program (CAAPP) permit relating to its flexographic printing lines; (5) and violating the CAAPP permit, reporting, and ERMS account officer requirements relating to its coating line #3.

On September 16, 2005, the People and Color Communications 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) (2004). These filings are authorized by Section 31(c)(2) of the Act. 415 ILCS 5/31(c)(2) (2004). *See* 35 III. Adm. Code 103.300(a). Under the proposed stipulation, Color Communication does not admit the violations alleged in the complaint, but agrees to pay a civil penalty of \$90,000.

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) (2004); 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 October 6, 2005, by a vote of 4-0.

Dorothy M. Gunn, Clerk

Illinois Pollution Control Board