## ILLINOIS POLLUTION CONTROL BOARD October 20, 2005

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
V.	)	PCB 04-13
	)	(Enforcement - Air)
INTERMATIC INCORPORATED, a	)	
Delaware corporation,	)	
	)	
Respondent.	)	

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

On July 28, 2003, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a nine-count complaint against Intermatic Incorporated (Intermatic). *See* 415 ILCS 5/31(c)(1) (2004); 35 Ill. Adm. Code 103.204. The People allege that Intermatic violated several provisions of the Environmental Protection Act (Act) and Board rules (415 ILCS 5/9(a) and (b), 9.1(d)(1), 39.5(6)(a) and (b) (2004); 35 Ill. Adm. Code 201.142, 203.201, 203.203(a) and (b), 205.150(c), 205.205(a), 205.720, 218.105(d)(2)(A)(iii)) by way of operating five sheet-fed offset printing presses.

The People further allege that Intermatic violated these provisions by: (1) failing to obtain a construction permit for any of the five presses; (2) failing to modify a Clean Air Act permit before operating the fifth press; (3) failing to comply with Emission Reduction Marketing System Requirements; (4) constructing a major modification to a source (the fifth press) without complying with New Source Review requirements; (5) failing to comply with volatile organic material emissions limitations; (6) failing to comply with idling emission limitations; (7) failing to properly maintain and operate a carbon adsorber; (8) failing to submit idling emission limit exceedance reports and compliance certifications; and (9) failing to submit annual compliance certifications. The complaint concerns Intermatic's facility located at 7777 Winn Road, Spring Grove, McHenry County, where it manufactures electrical items such as low voltage lighting, professional lighting, photo controllers, surge suppressor strips, and timers.

On October 11, 2005, the People and Intermatic 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)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2004)). See 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, the Intermatic neither admits nor denies the alleged violations but agrees to pay a civil penalty of \$30,957. In addition to the civil penalty, Intermatic agrees to undertake a supplemental environmental project (SEP). Pursuant to the stipulation and proposed settlement, Intermatic must replace the halogenated solvent trichloroethylene degreaser it currently uses with the non-halogenated solvent, Durr Universal Model 81C. According to the stipulation and proposed settlement, the SEP will significantly reduce the volatile organic material (VOM) and

hazardous air pollutant emissions from the facility. Intermatic estimates the reduction in VOM emissions of at least nine tons per year.

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 20, 2005, by a vote of 5-0.

Dorothy M. Gunn, Clerk

Illinois Pollution Control Board