

ILLINOIS POLLUTION CONTROL BOARD

April 20, 2006

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 06-41
)	(Enforcement - Air)
DOT PACKAGING GROUP, INC., an Indiana)	
corporation,)	
)	
Respondent.)	

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

On September 12, 2005, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against DOT Packaging Group, Inc. (DOT). The complaint alleges that DOT violated Section 9(a) and 39.5(6)(b) of the Illinois Environmental Protection Act (Act) (415 ILCS 5/9(a) and 39.5(6)(b) (2004)) and 35 Ill. Adm. Code 201.302(a), 218.105(d)(2)(A)(ii), 218.207(b)(1) and (c), and 218.211(e)(2)(B) by (1) failing to control emissions from a coating line with an afterburner that provides an 81% overall reduction in emissions of volatile organic materials; (2) failing to install, calibrate, maintain, and operate a continuous temperature monitoring device on its afterburner; (3) failing to submit complete and accurate annual emissions reports; and (4) violating conditions 7.2.3(e), 7.2.5(b), 7.2.8, 8.6.1, and 9.8 of its Clean Air Act Permit Program (CAAPP) permit number 95090134.

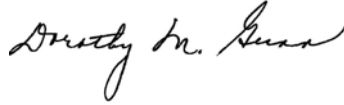
The People allege the violations occurred at DOT's lithographic printing facility at 1500 Paramount Parkway, Batavia, Kane County. The Board accepted the complaint for hearing on September 15, 2005.

On April 10, 2006, the People and DOT 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 Ill. Adm. Code 103.300(a). Under the proposed stipulation, DOT does not admit the violations alleged in the complaint, but agrees to pay a civil penalty of \$33,311.

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 April 20, 2006, by a vote of 4-0.

A handwritten signature in cursive script, appearing to read "Dorothy M. Gunn".

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board