ILLINOIS POLLUTION CONTROL BOARD May 18, 2006

PEOPLE OF THE STATE OF ILLINOIS,)	
Complainant,)	
)	DCD 02 215
V.)	PCB 03-215 (Enforcement - Air)
HUCK STORE FIXTURE COMPANY, INC.,)	
an Illinois corporation,)	
)	
Respondent.)	

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

On May 9, 2003, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Huck Store Fixture Company, Inc. (Huck). *See* 415 ILCS 5/31(c)(1) (2004); 35 Ill. Adm. Code 103.204. The People allege that Huck violated Section 9(a) and (b) of the Environmental Protection Act (Act) (415 ILCS 5/9(a) and (b) (2004)) and 35 Ill. Adm. Code 201.141, 201.142, and 201.143. The People further allege that Huck violated these provisions by using materials in its manufacturing process that had volatile organic material (VOM) content which exceeded the limits established by regulation, failing to maintain records required by permit, and beginning use of materials with VOM content in excess of that allowed by regulation without construction or operating permits. The complaint concerns Huck's wood furniture manufacturing facility at 1100 North 28th Street, Quincy, Adams County.

On May 5, 2006, the People and Huck 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, Huck does not admit the alleged violations but agrees to pay a civil penalty of \$20,000.

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 May $18,\,2006$, by a vote of 4-0.

Dorothy M. Gunn, Clerk

Illinois Pollution Control Board