ILLINOIS POLLUTION CONTROL BOARD May 18, 2006

PEOPLE OF THE STATE OF ILLINOIS,)	
Complainant,)	
v.)	PCB 06-172
THE CARLE FOUNDATION HOSPITAL, a	n)	(Enforcement - Land)
Illinois not-for-profit corporation,)	
Respondent.)	

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

On May 11, 2006, the Office of the Attorney General, on her own motion and at the request of the People of the State of Illinois (People), filed a two-count complaint against the Carle Foundation Hospital. *See* 415 ILCS 5/31(c)(1) (2004); 35 Ill. Adm. Code 103.204. Accompanying the complaint was a stipulation and proposal for settlement. The complaint concerns The Carle Foundation Hospital's medical services facility at 701 East University Avenue, Urbana, Champaign County.

The People allege that the Carle Foundation Hospital violated Section 56.1(b), (d), and (e) of the Environmental Protection Act (Act) (415 ILCS 5/56.1(b), (d), and (e) (2004)) and 35 Ill. Adm. Code 1420.104, 1421.111, and 1421.121. The People further allege that the Carle Foundation Hospital violated these provisions on July 19, 2004, by causing or allowing a red bag of waste containing used sharps to become mixed with other wastes so that (1) it caused or allowed the delivery of potentially infectious medical waste (PIMW) for transport to a municipal solid waste landfill for disposal; and (2) it caused or allowed the acceptance of PIMW for transport by a transporter not licensed to transport PIMW and without a required PIMW manifest.

On May 11, 2006, the People and the Carle Foundation Hospital also 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 Carle Foundation Hospital admits the alleged violations and agrees to pay a civil penalty of \$6,200. The Carle Foundation Hospital further agrees to undertake a supplemental environmental project (SEP) having a total value of \$5,785, consisting of a mercury thermometer exchange program and related disposal for up to 500 mercury thermometers. Carle has also taken various actions to ensure that this type of violation does not occur again.

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) (2000); 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