ILLINOIS POLLUTION CONTROL BOARD June 15, 2006

PEOPLE OF THE STATE OF ILLINOIS,)	
Complainant,)	
V.)	PCB 04-193
FELLOWES MANUFACTURING)	(Enforcement - Air)
COMPANY a/k/a FELLOWES, INC.,)	
Respondent.)	

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

On May 6, 2004, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a five-count complaint against Fellowes Manufacturing Company. *See* 415 ILCS 5/31(c)(1) (2004); 35 Ill. Adm. Code 103.204. The complaint concerns flexographic printing lines at Fellowes Manufacturing Company's office supplies and corrugated box manufacturing facility at 1789 Norwood Avenue, Itasca, DuPage County.

The People allege that Fellowes Manufacturing Company violated Sections 9(a) and (b) and 39.5(6)(b) of the Environmental Protection Act (Act) (415 ILCS 5/9(a) and (b) and 39.5(6)(b) (2004)) and 35 Ill. Adm. Code 201.142, 201.143, 203.201, and 254.132(a). The People further allege that Fellowes Manufacturing Company violated these provisions by (1) failing to obtain a construction permit; (2) failing to obtain a State operating permit; (3) failing to submit a Clean Air Act Permit Program (CAAPP) application; (4) constructing a major stationary source in violation of New Source Review requirements; and (5) failing to submit annual emissions reports.

On June 8, 2006, the People and Fellowes Manufacturing Company 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 Fellowes Manufacturing Company denies the alleged violations but agrees to pay a civil penalty of \$189,250 and to make an additional payment of \$10,750 in avoided air pollution site fees for the years 1986 through 2001.

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 June 15, 2006, by a vote of 4-0.

Dorothy M. Gunn, Clerk

Illinois Pollution Control Board