

ILLINOIS POLLUTION CONTROL BOARD
July 6, 2006

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 04-7
) (Enforcement - Air)
4832 S. VINCENNES, L.P., an Illinois)
limited partnership, and BATTEAST)
CONSTRUCTION COMPANY, an Indiana)
corporation,)
)
Respondents.)

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

On July 14, 2003, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against 4832 S. Vincennes, L.P. (Vincennes) and Batteast Construction Company of Illinois, Inc. (Batteast). The People alleged that respondents caused or allowed air pollution and violated various asbestos-related provisions in the renovation of a Chicago apartment building located at 4832 S. Vincennes, Chicago, Cook County.

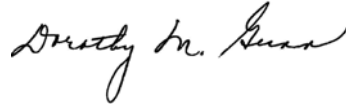
The People and Batteast filed a stipulation and proposed settlement on December 30, 2005. On March 16, 2006, the Board issued an order that accepted the stipulation and proposed settlement entered into by People and Batteast. In that order, the Board noted that Batteast admitted the alleged violations, and directed Batteast to pay a civil penalty of \$1,500.

On June 22, 2006, the People and Vincennes filed a stipulation and proposed settlement, accompanied by a request for relief from the hearing requirement of Section 31(c)(1) of the Illinois Environmental Protection Act (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, Vincennes admits the violations alleged in the first amended complaint, and agrees to pay a civil penalty of \$2,500.

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 July 6, 2006, by a vote of 4-0.

A handwritten signature in cursive script that reads "Dorothy M. Gunn".

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board