

ILLINOIS POLLUTION CONTROL BOARD
September 21, 2006

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 06-35
)	(Enforcement – Air)
QUANTUM COLOR GRAPHICS, L.L.C., an)	
Illinois limited liability company,)	
)	
Respondent.)	

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

On September 6, 2005, complainant, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed an eight-count complaint against respondent, Quantum Color Graphics, L.L.C. (Quantum). The complaint concerns Quantum's printing facility at 6511 West Oakton Street in Morton Grove, Cook County. The parties now seek to settle without a public hearing. For the reasons below, the Board directs the Clerk to provide public notice of the parties' stipulation, proposed settlement, and request for relief from the hearing requirement.

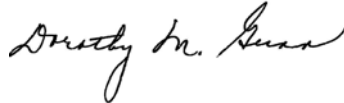
Under the Environmental Protection Act (Act) (415 ILCS 5 (2004)), the Attorney General and the State's Attorneys may bring actions before the Board to enforce Illinois' environmental requirements on behalf of the People. *See* 415 ILCS 5/31 (2004); 35 Ill. Adm. Code 103. In this case, the People allege that Quantum violated Sections 9(a) and (b) and 39.5(6)(b) of the Act (415 ILCS 5/9(a) and (b) and 39.5(6)(b) (2004)) and Board air pollution control regulations at 35 Ill. Adm. Code 201.142, 201.143, 201.302(a), 203.201, 212.309(a), and 218.411(a)(1)(A), (c)(1), and (c)(2). According to the complaint, Quantum violated these provisions by (1) constructing emission sources without a permit; (2) operating emission sources without a permit; (3) failing to obtain a Clean Air Act Permit Program (CAAPP) permit for a major source; (4) failing to comply with New Source Review requirements; (5) failing to submit required certifications; (6) failing to keep required records; (7) failing to submit a required fugitive dust plan; and (8) failing to submit required annual emissions reports.

On September 11, 2006, the People and Quantum 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)), which requires that the public have an opportunity to request a hearing whenever the State and a respondent propose settling an enforcement action without a public hearing. *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, Quantum does not admit the alleged violations and agrees to pay a civil penalty of \$44,000.

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. *See* 415 ILCS 5/31(c)(2) (2004); 35 Ill. Adm. Code 103.300(b), (c). The Board directs the Clerk 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 September 21, 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