ILLINOIS POLLUTION CONTROL BOARD July 10, 2014

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	DCD 14 101
V.)	PCB 14-101
NORWOOD MARKING & FOLUDATINE)	(Enforcement - Air)
NORWOOD MARKING & EQUIPMENT)	
CO., INC., a Delaware corporation,)	
D. J.)	
Respondent.)	

ORDER OF THE BOARD (by J.D. O'Leary):

On January 24, 2014, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a one-count complaint against Norwood Marking & Equipment Co, Inc. (Norwood). The complaint concerns Norwood's paper coating manufacturing facility at 250 Industry Ave., Frankfort, Will County. The parties now seek to settle without a 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 5/31 (2012)), 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 (2012); 35 Ill. Adm. Code 103. In this case, the People allege that Norwood violated Section 9(a) of the Act (415 ILCS 5/9(a) (2012)), Section 201.302(a) of the Board's Air Pollution Regulations (35 Ill. Adm. Code 301.302(a)), and Section 254.132(a) of the Illinois Environmental Protection Agency Air Regulations (35 Ill. Adm. Code 254.132(a)) by failing to file timely Annual Emissions Reports for the 2012 calendar year.

On June 18, 2014, the People and Norwood 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) (2012)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2012)), 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, Norwood neither admits nor denies the alleged violation and agrees to pay a civil penalty of \$5,000.

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) (2012); 35 Ill. Adm. Code 103.300(b), (c). The Board directs the Clerk to provide the required notice.

IT IS SO ORDERED.

I, John T. Therriault, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on July 10, 2014 by a vote of 4-0.

John T. Therriault, Clerk

Illinois Pollution Control Board