ILLINOIS POLLUTION CONTROL BOARD August 7, 2014

PEOPLE OF THE STATE OF ILLINOIS,)	
Complainant,)	
v.)	PCB 15-10
BELLEVILLE SHOE MANUFACTURING)	(Enforcement - Land)
COMPANY, a Delaware corporation,)	
Respondent.)	

ORDER OF THE BOARD (by D. Glosser):

On July 22, 2014, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a four-count complaint against Belleville Shoe Manufacturing Company (respondent). The complaint concerns respondent's boot manufacturing plant located at 100 Premier Drive in Belleville, St. Clair County. Accompanying the complaint was a stipulation, proposal for settlement, and request for relief from the hearing requirement. The parties therefore seek to settle the complaint without a hearing. For the reasons below, the Board accepts the complaint and directs the Clerk to provide public notice of the stipulation, proposed settlement, and request for hearing relief.

Under the Environmental Protection Act (Act) (415 ILCS 5 (2012)), the Attorney General and the State's Attorneys may bring actions before the Board on behalf of the People to enforce Illinois' environmental requirements. *See* 415 ILCS 5/31 (2012); 35 Ill. Adm. Code 103. In this case, the People allege that respondent violated Sections 9(a), 9(b), 39.5(6)(a), and 39.5(6)(b) of the Act, 415 ILCS 5/9(a), 9(b), 39.5(6)(a), 39.5(6)(b) (2012), Sections 201.142, 201.302 and 254.132 of the Board's Air Pollution Regulations, 35 Ill. Adm. Code 201.142, 201.302 and 254.132, and Condition 9.7 and 9.8 of Clean Air Act Permit Program (CAAPP) Permit No. 95120100. According to the complaint, the respondent violated these provisions by failing to obtain a construction permit, failing to obtain a CAAPP permit, failing to timely file annual compliance certifications, and failing to timely file annual emissions reports. The Board finds that the complaint meets the applicable content requirements of the Board's procedural rules and accepts the complaint. *See* 35 Ill. Adm. Code 103.204(c).

On July 22, 2014, the People and respondent 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, the respondent neither admits nor denies the alleged violations and agrees to pay a civil penalty of \$20,000.

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) (2010); 35 Ill. Adm. Code 103.300(b), (c). The Board directs the Clerk to provide the required notice.

IT IS SO ORDERED.

I, Don A. Brown, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on August 7, 2014, by a vote of 4-0.

Don A. Brown, Assistant Clerk Illinois Pollution Control Board