

ILLINOIS POLLUTION CONTROL BOARD
February 22, 2018

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| PEOPLE OF THE STATE OF ILLINOIS, |) | |
| |) | |
| Complainant, |) | |
| |) | |
| v. |) | PCB 18-63 |
| |) | (Enforcement – Land) |
| ENGINEERED PLASTIC COMPONENTS, |) | |
| INC., an Iowa Corporation, |) | |
| |) | |
| Respondent. |) | |

ORDER OF THE BOARD (by B.K. Carter):

On February 9, 2018, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a five-count complaint against Engineered Plastic Components, Inc. (EPC). The complaint concerns EPC’s property located at 300 Shellhouse Drive in Rantoul, Champaign 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 (2016)), 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 (2016); 35 Ill. Adm. Code 103. In this case, the People allege that EPC:

Count I—Violated permit requirements in Sections 703.121(a) and (b) of the Board’s waste regulations (35 Ill. Adm. Code 703.121(a), (b)) and Sections 21(f)(1) and (f)(2) of the Act (415 ILCS 5/21(f)(1), (f)(2) (2016)) by failing to have a Resource Conservation and Recovery Act (RCRA) permit and storing hazardous waste on the property without being eligible for a permit exemption under Section 722.134 of the Board’s waste regulations (35 Ill. Adm. Code 722.134);

Count II—Violated Section 722.111 of the Board’s waste regulations (35 Ill. Adm. Code 722.111)) and Section 21(f)(2) of the Act (415 ILCS 5/21(f)(2) (2016)) by failing to conduct a hazardous waste determination on stored materials within and outside of the facility;

Count III—Violated Section 808.121(a) of the Board’s waste regulations (35 Ill. Adm. Code 808.121(a)) and Section 21(f)(2) of the Act (415 ILCS 5/21(f)(2) (2016)) by failing to conduct a special waste determination on stored materials within and outside of the facility;

Count IV—Violated Section 722.112(c) of the Board’s waste regulations (35 Ill. Adm. Code 722.112(c)) and Section 21(f)(2) of the Act (415 ILCS 5/21(f)(2) (2016)) by offering hazardous waste for shipment to an unpermitted transporter and for disposal at an unpermitted facility; and

Count V—Violated Sections 722.120(a)(1) of the Board’s waste regulations (35 Ill. Adm. Code 722.120(a)(1)) and Section 21(f)(2) of the Act (415 ILCS 5/21(f)(2) (2016)) by offering hazardous waste for shipment and disposal without a manifest.

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 February 9, 2018, simultaneously with the People’s complaint, the People and EPC 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) (2016)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2016)), 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, EPC admits the alleged violations and agrees to pay a civil penalty of \$55,000.

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) (2016); 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, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on February 22, 2018, by a vote of 5-0.



Don A. Brown, Clerk
Illinois Pollution Control Board