

ILLINOIS POLLUTION CONTROL BOARD  
February 16, 2006

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 05-207
	)	(Enforcement - Air)
PRECISION TWIST DRILL CO., a Delaware	)	
corporation,	)	
	)	
Respondent.	)	

OPINION AND ORDER OF THE BOARD (by A.S. Moore):

On June 7, 2005, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Precision Twist Drill Co (Precision). *See* 415 ILCS 5/31.1(c) (2004); 35 Ill. Adm. Code 108.202(c). The People allege that Precision violated Sections 9(a) and 39.5(6)(b) of the Environmental Protection Act (Act) (415 ILCS 5/9(a) and 39.5(6)(b) (2004)) and 35 Ill. Adm. Code 218.204(j)(4) and 218.211(c). The People further allege that Precision violated these provisions by (1) failing to obtain a Clean Air Act Permit Program permit and pay permit fees; (2) violating volatile organic material emission limitations; and (3) failing to maintain records and submit required reports. The complaint concerns Precision's drill bit manufacturing facility at 301 Industrial Drive, Crystal Lake, McHenry County.

On January 12, 2006, the People and Precision 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)). *See* 35 Ill. Adm. Code 103.300(a). The Board provided notice of the stipulation, proposed settlement, and request for relief. The newspaper notice was published in the *Northwest Herald* on January 18, 2006. The Board did not receive any requests for hearing. The Board grants the parties' request for relief from the hearing requirement. *See* 415 ILCS 5/31(c)(2) (2004); 35 Ill. Adm. Code 103.300(b).

Section 103.302 of the Board's procedural rules sets forth the required contents of stipulations and proposed settlements. 35 Ill. Adm. Code 103.302. These requirements include stipulating to facts on the nature, extent, and causes of the alleged violations and the nature of Precision's operations. Section 103.302 also requires that the parties stipulate to facts called for by Section 33(c) of the Act (415 ILCS 5/33(c) (2004)). The People and Precision have satisfied Section 103.302. Precision does not admit the alleged violations and agrees to pay a civil penalty of \$30,500, \$30,000 of which is designated to the Illinois Environmental Protection Trust Fund and \$500 of which is designated to the Illinois Environmental Permit and Inspection Fund. The Board accepts the stipulation and proposed settlement.

This opinion constitutes the Board's findings of fact and conclusions of law.

**ORDER**

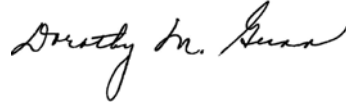
1. The Board accepts and incorporates by reference the stipulation and proposed settlement.
2. Precision must pay a civil penalty of \$30,500, \$30,000 of which is designated to the Illinois Environmental Protection Trust Fund and \$500 of which is designated to the Illinois Environmental Permit and Inspection Fund. Precision shall pay the penalty no later than Monday, March 20, 2006, which is the first business day after the 30th day after the date of this order. Precision must pay the civil penalty by certified check or money order, payable in the amount of \$30,000 to the Illinois Environmental Protection Trust Fund and in the amount of \$500 to the Illinois Environmental Permit and Inspection Fund. The case number, case name, and Precision's social security number or federal employer identification number must be included on the certified check or money order.
3. Precision must send the certified check or money order to:

Illinois Environmental Protection Agency  
Fiscal Services Division  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276
4. Penalties unpaid within the time prescribed will accrue interest under Section 42(g) of the Environmental Protection Act (415 ILCS 5/42(g) (2004)) at the rate set forth in Section 1003(a) of the Illinois Income Tax Act (35 ILCS 5/1003(a) (2004)).
5. Precision must cease and desist from the alleged violations.

IT IS SO ORDERED.

Section 41(a) of the Environmental Protection Act provides that final Board orders may be appealed directly to the Illinois Appellate Court within 35 days after the Board serves the order. 415 ILCS 5/41(a) (2004); *see also* 35 Ill. Adm. Code 101.300(d)(2), 101.906, 102.706. Illinois Supreme Court Rule 335 establishes filing requirements that apply when the Illinois Appellate Court, by statute, directly reviews administrative orders. 172 Ill. 2d R. 335. The Board's procedural rules provide that motions for the Board to reconsider or modify its final orders may be filed with the Board within 35 days after the order is received. 35 Ill. Adm. Code 101.520; *see also* 35 Ill. Adm. Code 101.902, 102.700, 102.702.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above opinion and order on February 16, 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