

ILLINOIS POLLUTION CONTROL BOARD

May 18, 2006

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 05-180
)	(Enforcement - Air)
ACI ENVIRONMENTAL CORPORATION,)	
an Illinois corporation, and ASBESTOS)	
CONTROL, INC., an Illinois corporation,)	
)	
Respondents.)	

ORDER OF THE BOARD (by G.T. Girard):

On March 29, 2005, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a two-count complaint against ACI Environmental Corporation and Asbestos Control, Inc. (respondents). *See* 415 ILCS 5/31(c)(1) (2004); 35 Ill. Adm. Code 103.204. The complaint concerns respondents' removal of asbestos during the course of renovations at the boiler room of the Oak Meadows Golf Course, located at 900 Wood Dale Road, Addison, DuPage County.

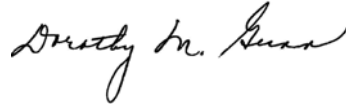
The People allege that respondents violated Section 9(a) and 9.1(d) of the Environmental Protection Act (Act) (415 ILCS 5/9(a) and 9.1(d) (2004)); 35 Ill. Adm. Code 201.141; and 40 C.F.R. §61.145(c)(3) and (c)(6). The People further allege that respondents violated these provisions by conducting asbestos removal a way that (1) caused, threatened, or allowed air pollution; and (2) did not comply with applicable federal standards for control of emissions from removal of regulated asbestos-containing materials.

On April 26, 2006, the People and respondents 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). Under the proposed stipulation, the respondents neither admit nor deny the alleged violations but agree to pay a civil penalty of \$2,500.

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. 415 ILCS 5/31(c)(2) (2004); 35 Ill. Adm. Code 103.300(b), (c). The Board directs the Clerk of the Board 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 May 18, 2006, by a vote of 4-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn".

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board