

ILLINOIS POLLUTION CONTROL BOARD
February 11, 1976

ENVIRONMENTAL PROTECTION AGENCY,)
)
 Complainant,)
)
 v.) PCB 75-287
)
)
 B. BRODY SEATING COMPANY,)
 an Illinois corporation,)
)
 Respondent.)

OPINION AND ORDER OF THE BOARD (by Mr. Zeitlin):

This case comes before the Board on a Complaint filed by the Environmental Protection Agency (Agency) on July 25, 1975. The Complaint alleges that Respondent B. Brody Seating Company, located at 5921 West Dickens Avenue, Chicago, Illinois has violated Section 9(b) of the Environmental Protection Act (Act) and Rule 103(b)(2) of the Board's Air Pollution Control Regulations. A hearing was held on December 18, 1975 at which the parties entered into a Stipulation and Proposed Settlement on the record (R. 4-10).

The stipulated facts make it clear that the Respondent's spray painting facility was operated without the permit required by Rule 103(b)(2). In Paragraph 11 of the Stipulation and Settlement Respondent agrees to take all actions necessary to obtain the required permits, and to pay a penalty of \$2,000. The Board hereby accepts the Stipulation and Settlement proposed by the parties at the December 18, 1975 hearing. The terms of settlement are acceptable to the Board.

This Opinion constitutes the findings of fact and conclusions of law of the Board in this matter.

ORDER

1. Respondent B. Brody Seating Company is hereby found to have violated Section 9(b) of the Environmental Protection Act and Rule 103(b)(2) of the Board's Air Pollution Control Regulations.


2. Respondent, B. Brody Seating Company shall take all actions required to obtain operating permits for its spray painting facility no later than 120 days after receipt of this Board Order.

3. Respondent shall pay as a penalty for the violations listed above the sum of \$2,000 to the State of Illinois. Payment shall be made by certified check or money order within 35 days of receipt of this Board Order to:

Control Program Coordinator
Division of Air Pollution Control
Environmental Protection Agency
2200 Churchill Road
Springfield, Illinois 62706

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 15th day of February, 1976, by a vote of 4-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board