

ILLINOIS POLLUTION CONTROL BOARD  
April 3, 2003

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
Complainant, )  
)  
v. ) PCB 00-111  
) (Enforcement - Air)  
R. FRIETSCH COMPANY, INC., a Delaware )  
corporation, )  
)  
Respondent. )

ORDER OF THE BOARD (by M.E. Tristano):

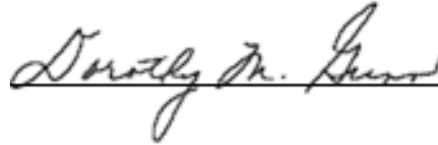
On December 30, 1999, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against R. Frietsch Company, Inc. (respondent). *See* 415 ILCS 5/31(c)(1) (2002); 35 Ill. Adm. Code 103.204. The People allege that respondent violated specified air pollution provisions of the Illinois Environmental Protection Act (Act) (415 ILCS 5/1 *et seq.* (1998)). The People further allege that respondent violated these provisions by failing to comply with the National Emission Standards for Hazardous Air Pollutants regulations for asbestos. The complaint concerns respondent's demolition of various facilities located in Tazewell and Peoria Counties.

On March 28, 2003, 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) (2002)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2002)). *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, the respondent admits the alleged violations and agrees to pay a civil penalty of \$10,000.

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. 415 ILCS 5/31(c)(2) (2002); 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 April 3, 2003, by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", is written over a horizontal line.

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board