

ILLINOIS POLLUTION CONTROL BOARD

April 3, 2003

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|----------------------------------------|---|---------------------|
| PEOPLE OF THE STATE OF ILLINOIS, |) | |
| |) | |
| Complainant, |) | |
| |) | |
| v. |) | PCB 00-184 |
| |) | (Enforcement - Air) |
| RODERICK ENTERPRISES Inc., an Illinois |) | |
| corporation, |) | |
| |) | |
| Respondent. |) | |

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

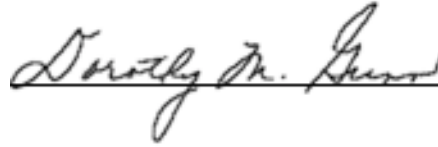
On February 5, 2002, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Roderick Enterprises Inc. *See* 415 ILCS 5/31(c)(1) (2000); 35 Ill. Adm. Code 103.204. The People allege that Roderick Enterprises Inc. violated various provisions of the Act, the Board's Air Pollution Regulations, and Federal National Standards of Performance. The People further allege that Roderick Enterprises violated these provisions by operating new emission sources and new air pollution control equipment without obtaining the requisite state construction and operating permits, failed to pay annual site fees, and violation of performance testing requirements. The complaint concerns Roderick Enterprises Inc.'s crushed concrete facility at 5300 South Lawndale, McCook, Cook County.

On March 24, 2003, the People and Roderick Enterprises Inc., filed a stipulation and proposed settlement, accompanied by a request for relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection 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, Roderick Enterprises Inc., denies the alleged violations and agrees to pay a civil penalty of \$10,600.

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", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board