

ILLINOIS POLLUTION CONTROL BOARD  
July 7, 2011

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
Complainant, )  
)  
v. ) PCB 11-102  
) (Enforcement - Air)  
VICTOR ENVELOPE COMPANY, )  
)  
Respondent. )

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

On June 23, 2011, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed an eight-count complaint against Victor Envelope Company (Victor). The complaint concerns Victor's envelope manufacturing facility located at 301 Arthur Court, Bensenville, DuPage County. Accompanying the complaint was a stipulation, proposal for settlement, and request for relief from the hearing requirement. The parties therefore seek to settle the complaint without a hearing. For the reasons below, the Board accepts the complaint and directs the Clerk to provide public notice of the stipulation, proposed settlement, and request for hearing relief.

Under the Environmental Protection Act (Act) (415 ILCS 5 (2010)), the Attorney General and the State's Attorneys may bring actions before the Board to enforce Illinois' environmental requirements on behalf of the People. *See* 415 ILCS 5/31 (2010); 35 Ill. Adm. Code 103. In this case, the People allege that Victor violated Sections 9(a), 9(b), 39.5(6)(b), 9.12(a) and 9.12(j) of the Act (415 ILCS 5/9(a), (b), 39.5(6)(b), 9.12(a) and (j) (2010)). The People also allege that Victor violated Sections 201.142, 203.201, 201.302(a), 254.132(a), 218.404(b)(1) and (c)(1), 218.411(a), (c) and (d), and 212.309 of the Board's air pollution regulations (35 Ill. Adm. Code 201.142, 203.201, 201.302(a), 254.132(a), 218.404(b)(1) and (c)(1), 218.411(a), (c), and (d), and 212.309).

According to the complaint, Victor violated these regulations by: 1) constructing an emission source without a permit, 2) failing to obtain a Clean Air Act Permit Program permit, 3) failing to comply with New Source review requirements, 4) failing to submit annual emissions reports, 5) failing to demonstrate compliance with flexographic printing regulations, 6) failing to demonstrate compliance with lithographic printing regulations, 7) failing to submit Fugitive Dust Plan, and 8) failing to pay construction permit fees. The Board finds that the complaint meets the applicable content requirements of the Board's procedural rules and accepts the complaint. *See* 35 Ill. Adm. Code 103.204(c).

On June 23, 2011, simultaneously with the People's complaint, the People and Victor 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) (2010)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2010)), which requires that the public have an opportunity to request a hearing whenever the State and a respondent propose settling an enforcement action without a public hearing. *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, the respondent does not affirmatively admit the alleged violations and agrees to pay a civil penalty of \$60,000.00.

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. *See* 415 ILCS 5/31(c)(2) (2010); 35 Ill. Adm. Code 103.300(b), (c). The Board directs the Clerk to provide the required notice.

IT IS SO ORDERED.

I, John Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on July 7, 2011, by a vote of 5-0.



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John Therriault, Assistant Clerk  
Illinois Pollution Control Board