



The People ask the Board to order Bag Makers to apply for and obtain all requisite CAAPP permits for the facility in the future; comply with the volatile organic material (VOM) usage and emission limitations in its Renewal FESOP; timely apply for and obtain all requisite construction permits for the facility in the future; timely pay any requisite air pollution construction permit fees for the facility in the future; completely and accurately submit AERs to the Agency for the facility in the future; and completely and accurately submit SERs to the Agency for the facility in the future. The People also ask the Board to assess civil penalties of \$50,000 per violation and \$10,000 for each day during which a violation continued, and to tax costs including attorney, expert witness, and consultant fees expended in pursuit of this action against Bag Makers.

The Board finds that the complaint meets the content requirements of the Board's procedural rules and accepts the complaint. *See* 35 Ill. Adm. Code 103.204(c).

On December 14, 2012, simultaneously with the People's complaint, the People and Bag Makers 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 has 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, Bag Makers neither admits or denies the alleged violations and agrees to pay a civil penalty of \$30,000.00.

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 T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on December 20, 2012 by a vote of 5-0.

A handwritten signature in black ink that reads "John T. Therriault". The signature is written in a cursive style with a long horizontal flourish at the end.

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John T. Therriault, Assistant Clerk  
Illinois Pollution Control Board