

ILLINOIS POLLUTION CONTROL BOARD  
March 5, 2015

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 15-109
	)	(Enforcement - Air)
GOLD STANDARD BAKING, INC., an	)	
Illinois corporation,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by C.K. Zalewski):

On December 11, 2014, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a five-count complaint against Gold Star Baking, Inc. (“GSB”). The complaint concerns GSB’s bakery located at 3700 South Kedzie Avenue, Chicago, Cook County. The parties now seek to settle without a hearing. For the reasons below, the Board directs the Clerk to provide public notice of the parties’ stipulation, proposed settlement, and request for relief from the hearing requirement.

Under the Environmental Protection Act (Act) (415 ILCS 5 (2012)), 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 (2012); 35 Ill. Adm. Code 103. In this case, the People allege that GSB violated Sections 9(a), 9(b), 39.5(5)(x), 39.5(6)(b) of the Act and Sections 201.142, 203.201, 205.150(c), 205.200, 205.300(a), and 205.310(a)(3) of the Board Air Pollution Regulations, and Section 254.132(b) of the Illinois Environmental Protection Agency’s (Agency) air pollution regulations. 415 ILCS 5/9(a), 9(b), 39.5(5)(x), 39.5(6)(b) (2012); 35 Ill. Adm. Code 201.142, 203.201, 205.150(c), 205.200, 205.300(a), 205.310(a)(3); and 35 Ill. Adm. Code 254.132(b). The People further allege respondent violated these provisions by operating an air pollution source without a permit, constructing an air emission source without a permit, failing to comply with emission reduction market system requirements, failing to submit complete and accurate seasonal emissions reports, and failing to hold allotment trading units for seasonal emissions.

On February 20, 2015, the People and GSB filed a stipulation and proposed settlement (Stip.), accompanied by a request for relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (2012)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2012)), 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, GSB does not affirmatively admit the alleged violations and agrees to pay a civil penalty of \$25,000. Stip. at 3, 6.

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) (2012); 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, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on March 5, 2015, by a vote of 4-0.

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

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John T. Therriault, Clerk  
Illinois Pollution Control Board