

ILLINOIS POLLUTION CONTROL BOARD  
April 26, 1990

ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 89-191
	)	(Enforcement)
	)	
CALUMET ARMATURE ELECTRIC,	)	
	)	
Respondent.	)	

OPINION AND ORDER OF THE BOARD (by M. Nardulli):

This matter comes before the Board upon a complaint filed on November 15, 1989, upon the request of the Illinois Environmental Protection Agency (Agency) by Neil F. Hartigan, Attorney General of Illinois, against Calumet Armature Electric (Calumet), an Illinois Corporation. The complaint alleges two counts against Calumet. Count I alleges that Calumet violated Section 9(b) of the Illinois Environmental Protection Act (the Act) (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 1009(b)) and 35 Ill. Adm. Code 201.142, in that Calumet constructed a new source of emissions and new air pollution control equipment without obtaining a construction permit. Count II alleges that Calumet violated Section 9(b) of the Act and 35 Ill. Adm. Code 201.143, in that Calumet operated a new source of emissions and new air pollution control equipment without a permit.

A hearing was held on this matter on February 21, 1990, in Chicago, Illinois. At the hearing the Attorney General submitted, as exhibit 1, a Stipulation and Proposal for Settlement, which was accepted into evidence. The Stipulation sets forth the full statement of all material facts pertaining to the nature, operations, and circumstances surrounding the claimed violations. Calumet admits to the past violations of the Act and Board rules. Calumet has subsequently complied with air pollution control requirements by applying for and receiving, from the Agency, all necessary operating permits. Calumet agrees to pay a penalty of two thousand dollars (\$2,000) into the Environmental Protection Trust Fund.

The Board finds the settlement agreement acceptable under 35 Ill. Adm. Code 103.180. This settlement agreement in no way affects respondent's responsibility to comply with any federal, state or local regulations, including but not limited to the Act and the Board's air pollution regulations.

This Opinion constitutes the Board's findings of fact and

conclusions of law in this matter.

ORDER

The Board hereby accepts the Stipulation and Proposal for Settlement executed by the Illinois Environmental Protection Agency and Calumet Armature Electric concerning violations of Section 9(b) of the Act and 35 Ill. Adm. Code 201. The Stipulation and Proposal for Settlement are incorporated by reference as though fully set forth herein.

Calumet shall pay the sum of two thousand dollars (\$2,000.00) within 30 days of this Order. Such payment shall be made by certified check or money order payable to the Treasurer of the State of Illinois, designated to the Environmental Protection Trust Fund, and shall be sent by First Class mail to:

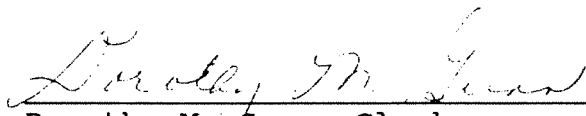
Illinois Environmental Protection Agency  
Fiscal Services Division  
2200 Churchill Road  
P.O. Box 19276  
Springfield, IL 62794-9276

Calumet shall also write its Federal Employer Identification Number or Social Security Number upon the certified check or money order.

Section 41 of the Environmental Protection Act, Ill. Rev. Stat. 1987, ch. 111 1/2, par. 1041, provides for appeal of final Orders of the Board within 35 days. The Rules of the Supreme Court of Illinois establish filing requirements.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 26<sup>th</sup> day of April, 1990, by a vote of 7-0.



Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board