

ILLINOIS POLLUTION CONTROL BOARD

February 21, 2002

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 00-125
)	(Enforcement - Air)
NINA ENTERPRISES, INC.,)	
)	
Respondent.)	

ORDER OF THE BOARD (by R.C. Flemal):

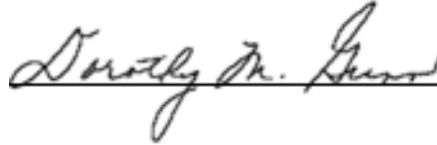
On January 28, 2000, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Nina Enterprises, Inc.. See 415 ILCS 5/31(c)(1) (2000); 35 Ill. Adm. Code 103.204. The People allege that Nina Enterprises, Inc. violated Sections 9(a), 9(b), and 39.5(b) of the Environmental Protection Act (Act) (415 ILCS 5/9(a), 9(b), 39.5(b) (2000)) and Sections 201.141, 218.204(g)(2) and 270.301(a) of the Board's air pollution regulations. 35 Ill. Adm. Code 201.141, 218.204(g)(2) and 270.301(a). The People further allege that Nina Enterprises, Inc., violated these provisions by not complying with the applicable volatile organic material emissions limitations. The complaint concerns Nina Enterprises, Inc.'s metal office products manufacturing facility at 1350 South Levitt, Chicago, Cook County.

On February 7, 2002, the People and Nina 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 Act 415 ILCS 5/31(c)(1) (2000)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2000)). See 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, Nina Enterprises, Inc., neither admits nor denies the alleged violations and agrees to pay a civil penalty of \$37,000.

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) (2000); 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 February 21, 2002, 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