ILLINOIS POLLUTION CONTROL BOARD November 7, 2024

PEOPLE OF THE STATE OF ILLINOIS,)	
Complainant,))	
V.))	PCB 25-19 (Enforcement - Air)
ILLINOIS TOOL WORKS, INC. d/b/a ITW)	· · · · · · · · · · · · · · · · · · ·
DELTAR SEAT COMPONENTS, d/b/a ITW)	
AUTOMOTIVE SAFETY DIVISION, and)	
d/b/a ITW GLOBAL SAFETY, a division of)	
ILLINOIS TOOL WORKS,)	
)	
Respondent.)	

ORDER OF THE BOARD (by J.A. Van Wie):

On October 23, 2024, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a one-count complaint against Illinois Tool Works, Inc. d/b/a ITW Deltar Seat Components, d/b/a ITW Automotive Safety Division, and d/b/a ITW Global Safety, a division of Illinois Tool Works (ITW). The complaint concerns ITW's automotive parts manufacturing facility located at 935 Oaklawn Avenue in Elmhurst, 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 (2022)), 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 (2022); 35 Ill. Adm. Code 103. In this case, the People allege that ITW violated Section 9(a) of the Act (415 ILCS 5/9(a) (2022)); Section 201.302(a) of the Board's air pollution regulations (35 Ill. Adm. Code 201.302(a)); and Section 254.132(a) of the Illinois Environmental Protection Agency's air pollution regulations by failing to timely submit a complete and accurate annual emission report for calendar year 2022 by May 1, 2023, and discharging contaminants into the environment in violation of the Board's regulations. 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 October 23, 2024, simultaneously with the People's complaint, the People and ITW 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) (2022)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2022)), 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, ITW neither admits nor denies the alleged violations and agrees to pay a civil penalty of \$15,000.

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. *See* 415 ILCS 5/31(c)(2) (2022); 35 Ill. Adm. Code 103.300(b), (c). The Board directs the Clerk to provide the required notice.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on November 7, 2024, by a vote of 4-0.

Don a. Brown

Don A. Brown, Clerk Illinois Pollution Control Board