

ILLINOIS POLLUTION CONTROL BOARD
May 17, 2001

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 01-75
) (Enforcement – Air)
CRAIG YALLALY and SUSAN YALLALY)
d/b/a COURTESY CLEANERS,)
)
Respondents.)

ORDER OF THE BOARD (by N.J. Melas):

On October 27, 2000, the People of the State of Illinois (People) filed a two-count complaint against respondents Craig Yallaly and Susan Yallaly d/b/a Courtesy Cleaners. The complaint alleges that respondents failed to maintain records and conduct inspections with respect to the purchase and handling of perchloroethylene used at dry cleaning facilities located in Mattoon, Coles County, Illinois, and Danville, Vermillion County, Illinois. This activity was alleged to be in violation of Section 9(b) and 9.1(d) of the Environmental Protection Act (Act) (415 ILCS 5/9(b) and 5/9.1(d) (1998)); the federal National Emission Standards for Hazardous Air Pollutants (NESHAP) for dry cleaning facilities using perchloroethylene at 40 C.F.R. 63.322(a), 63.322(k), 63.323(a)(1), 63.324(d)(1) through 63.324(d)(4), and 63.324(e); and several special conditions in the operating permits for the two establishments.¹

On May 1, 2001, the parties filed a stipulation and proposal for settlement, accompanied by a motion requesting relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (1998)). Respondents admit the alleged violations in the complaint and propose to pay a \$5,000 penalty.

Pursuant to Section 31(c)(2) of the Act, the complainant may file with the Board a stipulation and proposal for settlement accompanied by a request for relief from the hearing requirement. (415 ILCS 5/31(c)(2) (1998)). Unless the Board determines that a hearing is needed, the Board is required to publish notice of the stipulation and proposal for settlement and request for relief from the hearing requirement.

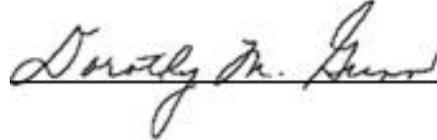
Accordingly, the Board directs the Clerk of the Board to cause publication of the required newspaper notice. Any person may file a written demand for hearing within 21 days

¹ Complainant also alleges that respondents allegedly violated 40 C.F.R. 324(d)(3), 324 (d)(4), and 324(e). These sections of Title 40 of the C.F.R. do not exist. The Board assumes that complainant intended to allege violations of 40 C.F.R. 63.324(d)(3), 63.324 (d)(4), and 63.324(e), respectively.

of the published notice. If a hearing is requested, the Board will deny the parties' request for relief and schedule a hearing.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 17th day of May 2001 by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", is written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board