

ILLINOIS POLLUTION CONTROL BOARD

July 7, 2005

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 05-148
) (Enforcement - Air)
CONCRETE SPECIALTIES COMPANY, an)
Illinois corporation,)
)
Respondent.)

ORDER OF THE BOARD (by J.P. Novak):

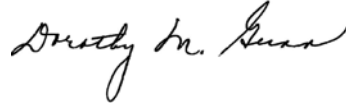
On February 1, 2005, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Concrete Specialties Company. See 415 ILCS 5/31(c)(1) (2004); 35 Ill. Adm. Code 103.204. The People allege that Concrete Specialties Company violated Sections 9(a) and (b) and 39.5(6)(b) of the Environmental Protection Act (415 ILCS 5/9(a) and (b) and 39.5(6)(b) (2002)) and 35 Ill. Adm. Code 201.142, 201.143, 201.302(a), 203.201, and 254.132(a). The People further allege that Concrete Specialties Company violated these provisions by (1) constructing emissions sources without a permit; (2) operating emissions sources without a permit; (3) operating a major stationary source without a Clean Air Act Permit Program (CAAPP) permit; (4) violating New Source Review requirements; and (5) failing to timely submit complete and accurate annual emissions reports. The complaint concerns Concrete Specialties Company's concrete product manufacturing facility at 1375 Gilford Road, Elgin, Cook County. For the reasons below, the Board accepts the complaint for hearing.

On July 1, 2005, the People and Concrete Specialties Company 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) (2004)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2004)). See 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, the Concrete Specialties Company neither admits nor denies the alleged violations but agrees to pay a civil penalty of \$32,500.

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 July 7, 2005, by a vote of 4-0.

A handwritten signature in cursive script that reads "Dorothy M. Gunn".

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board