

ILLINOIS POLLUTION CONTROL BOARD
March 8, 1990

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	
)	
v.)	PCB 89-161
)	(Enforcement)
TECHNICAL PRODUCTS, INC.,)	
)	
Respondent.)	

OPINION AND ORDER OF THE BOARD (by B. Forcade):

This matter comes before the Board upon a complaint filed on behalf of the Illinois Environmental Protection Agency ("Agency"), by and through its attorney, Neil F. Hartigan, Attorney General of the State of Illinois, against Technical Products, Inc. ("Technical") located at 6233 North Pulaski Road, Chicago, Cook County, Illinois. Technical operates a wholesale chemical distribution facility, which utilizes approximately 60 chemical storage tanks capable of emitting particulate matter. The complaint alleges that Technical has violated the permitting requirements for potential air pollution sources in Section 9(b) of the Illinois Environmental Protection Act ("Act"), Ill. Rev. Stat. 1987, ch. 111½, par. 1009(b) and 35 Ill. Adm. Code 201.143 of the Board's rules and regulations.

Hearing on this matter was held on January 17, 1990 in Chicago, Illinois. At the hearing, a Stipulation and Settlement Agreement, executed by the parties was submitted. The Stipulation sets forth a full stipulation of all material facts pertaining to the nature, operations, and circumstances surrounding the claimed violations. Technical admits to past violations of Section 9(b) of the Act and 35 Ill. Adm. Code 201.143 and agrees to pay a civil penalty of \$3,000. Technical further agrees to cease and desist from the alleged violations.

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 control regulations.

This Opinion constitutes the Board's findings of fact and conclusions of law in this matter.

ORDER

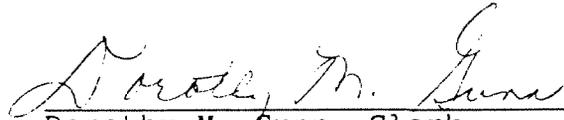
The Board hereby accepts the Stipulation and Settlement Agreement executed by the Illinois Environmental Protection Agency and Technical Products, Inc. concerning Technical's wholesale chemical distribution facility located at 6233 North Pulaski Road, Chicago, Cook County, Illinois. The Stipulation and Settlement Agreement are incorporated by reference as though fully set forth herein.

Section 41 of the Environmental Protection Act, Ill. Rev. Stat. 1987, ch. 111½, 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.

Board Member J. Theodore Meyer Dissented.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 5th day of March, 1990, by a vote of 6-1.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board