

ILLINOIS POLLUTION CONTROL BOARD  
June 7, 1990

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Complainant )  
 )  
v. ) PCB 89-206  
 ) (Enforcement)  
 )  
CHICAGO STEEL CONTAINER CORP., )  
an Illinois Corporation, )  
 )  
Respondent. )

OPINION AND ORDER OF THE BOARD (by J.D. Dumelle):

This matter comes before the Board upon a complaint filed December 14, 1989 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 Chicago Steel Container Corporation, ("Chicago Steel") located at 1846 South Kilbourn Avenue, Chicago, Cook County, Illinois. The complaint alleges the Chicago Steel has violated Sections 9(a), and 9(b), (pars.) 1009a, b of the Illinois Environmental Protection Act ("Act"), Ill. Rev. Stat. 1987, ch. 111-1/2, pars. 1001, et. seq. and 35 Ill. Adm. Code 201.142, 201.143, 205.206(a) 215.204(j), 215.212, and 215.213 of the Board's rules and regulations.

Hearing on this matter was held February 26, 1990 in Chicago, Illinois. At hearing the parties submitted a Stipulation and Settlement Agreement, executed by the parties. The Stipulation sets forth a full stipulation of all material facts pertaining to the nature, operations, and circumstances surrounding the claimed violations. Chicago Steel admits to past violations of Sections 9(b) of the Act and 35 Ill. Adm. Code 201.142, 201.143, 215.206(a) 215.204(j), 215.212, and 215.213, and agrees to pay a civil penalty of \$7,000. Chicago Steel further agrees to cease and desist from the violations.

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

ORDER

1. The Board hereby accepts the Stipulation and Settlement Agreement executed by the Illinois Environmental Protection Agency and Chicago Steel Container Corp. concerning violations of Section 9(a) and 9(b) of the

Act and 35 Ill. Adm. Code Sections 201.142, 201.143, 205.206(a) 215.204(j), 215.212. and 215.213 by Chicago Steel Container Corp.'s operations located at 1846 South Kilbourn, Chicago, Illinois. The Stipulation and Settlement Agreement are incorporated by reference as though fully set forth herein.

2. Chicago Steel Container Corp. shall pay the sum of seven thousand dollars (\$7,000) within 30 days of the date of this order. Such payment shall be made by certified check or money order payable to the Treasurer of the State of Illinois, designated to the Environmental Protection Trust Fund, and shall be sent by First Class mail to:

Illinois Environmental Protection Agency  
Fiscal Services Division  
2200 Churchill Road  
P.O. Box 19276  
Springfield, Illinois 62794-9276

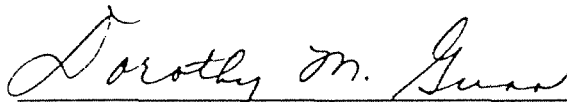
Chicago Steel Container Corp. shall also write its Federal Employer Identification Number or Social Security Number on the certified check or money order.

Section 41 of the Environmental Protection Act, Ill. Rev. Stat. 1987, ch. 111-1/2, 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 7<sup>th</sup> day of June, 1990, by a vote of 6-1.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board