

ILLINOIS POLLUTION CONTROL BOARD
September 28, 1989

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Petitioner,)
)
v.) PCB 89-103
) (Enforcement)
SIMKINS INDUSTRIES, INC.,)
)
Respondent.)

WILLIAM SEITH, ASSISTANT ATTORNEY GENERAL, APPEARED ON BEHALF OF PETITIONER.

TOM GILLER APPEARED ON BEHALF OF RESPONDENT.

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

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 Simkins Industries, Inc. (Simkins). The complaint alleges that Simkins has violated Section 9(a) of the Environmental Protection Act (Act), Ill. Rev. Stat. 1987, ch. 111½, par. 1009(a), and the Pollution Control Board Order entered in PCB 87-181.

Hearing on this matter was held on August 9, 1989 in Chicago. At the hearing, petitioner's counsel summarized a Stipulation and Proposal for Settlement (Stipulation), executed by the parties. The Stipulation addresses the facts and proposed terms of settlement in this matter. No members of the public attended the hearing. Respondent denies the violations of the June 16, 1988 Order entered in Simkins Industries, Inc. v. Illinois Environmental Protection Agency, PCB 87-181, and any liability arising therefrom under Section 42(a) of the Act (Ill. Rev. Stat. 1987, ch. 111½, par. 1042(a)), as alleged by the Agency in its complaint.

The Board finds the Stipulation acceptable under 35 Ill. Adm. Code 103.180.

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

ORDER

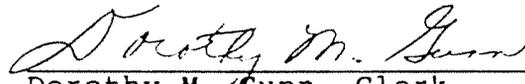
The Board hereby accepts the Stipulation and Proposal for Settlement executed by Simkins Industries, Inc. (Simkins) and the Illinois Environmental Protection Agency (Agency) concerning

Simkins' rotogravure printing operation located at 5701 West Ogden, Cicero, Cook County, Illinois and filed on June 16, 1989. The Stipulation and the Proposal for Settlement is incorporated by reference as though set forth herein.

Section 41 of the Environmental Protection Act, Ill. Rev. Stat. 1987 ch. 111 $\frac{1}{2}$ 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.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 28th day of September, 1989, by a vote of 6-0.



 Dorothy M. Gunn, Clerk
 Illinois Pollution Control Board