

ILLINOIS POLLUTION CONTROL BOARD

August 22, 2002

PEOPLE OF THE STATE OF ILLINOIS,)
)
 Complainant,)
)
 v.) PCB 97-113
) (RCRA Enforcement)
 HOMIN LEE d/b/a MEISEL PLATING)
)
 Respondent.)

ORDER OF THE BOARD (by R.C. Flemal):

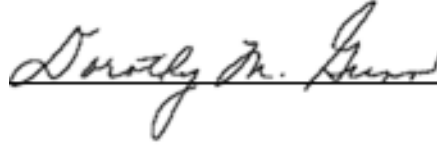
On December 27, 1996, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Homin Lee d/b/a Meisel Plating (Homin Lee). *See* 415 ILCS 5/31(c)(1) (2000) *amended by* P.A. 92-0574, eff. June 26, 2002; 35 Ill. Adm. Code 103.204. The People allege that Homin Lee violated Sections 21(f)(1) and (f)(2) of the Environmental Protection Act (Act) and 35 Ill. Adm. Code Section 703.121(a), 722.111, 722.140(a) and (c), and 728.107(a) and (f). 415 ILCS 21(f)(1) and (f)(2) *amended by* P.A. 92-0574, eff. June 26, 2002. The People further allege that Homin Lee violated these provisions by failing to perform a hazardous waste determination, failing to get a resource conservation and recovery act permit, failing to keep copies of manifests and records of test results and waste analyses, and failing to keep on-site copies of documentation relating to the on-site or off-site treatment, storage or disposal of the hazardous waste. The complaint concerns Homin Lee's metal plating facility at 2037 West Division Street, Chicago, Cook County.

On August 7, 2002, the People and Homin Lee 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) (2000) *amended by* P.A. 92-0574, eff. June 26, 2002). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2000) *amended by* P.A. 92-0574, eff. June 26, 2002). *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, Homin Lee neither admits nor denies the alleged violations and agrees to pay a civil penalty of \$5,500.

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) *amended by* P.A. 92-0574, eff. June 26, 2002; 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 August 22, 2002, 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