

ILLINOIS POLLUTION CONTROL BOARD

July 18, 1996

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 96-106
)	(Enforcement - Air)
)	
BELOIT CORPORATION, a Delaware)	
corporation,)	
)	
Respondent.)	

ORDER OF THE BOARD (by C.A. Manning):

This matter comes before the Board on an agreed motion to modify the stipulation and proposal for settlement adopted by the Board on December 20, 1995. On July 8, 1996 the Attorney General of the State of Illinois, on behalf of the Illinois Environmental Protection Agency (Agency), and Beloit Corporation (Beloit) filed a modification to the stipulation and proposal for settlement filed with the Board on November 15, 1995. The complaint in this matter alleged that Beloit violated Sections 9(a) and (b) of the Illinois Environmental Protection Act (Act), 415 ILCS 5/9(a), 5/9(b) and 35 Ill. Adm. Code 201.142, 201.143, 212.321, and also alleged that Beloit used improper permits when constructing and operating emission sources. In the stipulation accepted by the Board, Beloit denied the alleged violations and agreed to pay a civil penalty of \$29,000.

The parties agree that the purpose and objective of the modification is to amend Section X of the stipulation regarding the terms of settlement. Specifically, the modifications refer to Section X.8 where Beloit is required to design and install an effective capture and control system for its tapping and pouring emissions in the ferrous foundry. Under the new modification in Section X.8, Beloit will complete installation of the capture system pursuant to an Agency permit issued June 10, 1996. Once installed, complainant shall acknowledge that Beloit is in compliance with the applicable statutes and air pollution control regulations.

The parties further agree to add Section X.13 to the stipulation which allows the parties to make any further modifications to the stipulation, by written agreement, without amending or otherwise modifying the stipulation accepted by the Board on December 20, 1995. This new section pertains to any future modifications made by the parties concerning the technical scope of work, time tables, design changes, testing requirements, reports, schedules of completion for all activities required under Section X, and the activities required under the modifications of Section X pursuant to this order. The parties state that all other portions of Section X and of the entire stipulation shall remain in full force and effect. The stipulation additionally states that it is null and void unless it is accepted by the Board in its entirety.

The Board finds this settlement modification acceptable under 35 Ill. Adm. Code 103.180, and incorporates the provisions into this order as fully set forth. This modification does not affect Beloit's responsibility to comply with any federal, state, or local regulations, including but not limited to the Act and the Board's regulations. This modification replaces the previous Section X.8 of the stipulation and adds Section X.13 to the stipulation, but does not affect any other section of the stipulation adopted by the Board on December 20, 1995.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the ____ day of _____, 1996, by a vote of

_____.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board