

ILLINOIS POLLUTION CONTROL BOARD

December 7, 2000

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 00-151
	)	(Enforcement – Air)
CLEVELAND STEEL CONTAINER	)	
CORPORATION,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by S.T. Lawton, Jr.):

On March 10, 2000, the People of the State of Illinois (People) filed a five-count complaint against respondent Cleveland Steel Container Corporation (Cleveland Steel), a steel pail manufacturer. The complaint alleges Cleveland Steel operated without a permit, caused emissions limitation violations, failed to timely submit a fugitive dust plan, violated special provisions of its operating permit, and commenced construction without a permit at its facility located at 117 East Lincoln, Peotone, Will County, Illinois. These actions are in alleged violation of Sections 9(a) and 9(b) of the Environmental Protection Act (Act) (415 ILCS 5/9(a), 9(b) (1998)), the Board's air pollution regulations at 35 Ill. Adm. Code 201.142, 201.143, 212.309, and 218.207(d), and Special Condition 2(a) of Cleveland Steel's operating permit.

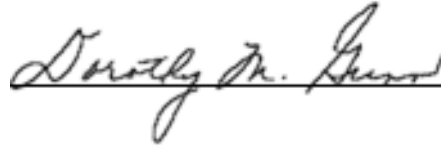
On November 29, 2000, the parties filed a stipulation and proposal for settlement. On November 30, 2000, the parties filed a motion requesting relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (1998)). In the proposed stipulation Cleveland Steel neither admits nor denies the allegations contained in the complaint. Cleveland Steel proposes to pay a \$15,750 penalty.

Pursuant to Section 31(c)(2) of the Act, the complainant may file with the Board a stipulation and proposal for settlement accompanied by a request for relief from the hearing requirement. (415 ILCS 5/31(c)(2) (1998)). Unless the Board determines that a hearing is needed, the Board is required to publish notice of the stipulation and proposal for settlement and request for relief from the hearing requirement.

Accordingly, the Board directs the Clerk of the Board to cause publication of the required newspaper notice. Any person may file a written demand for hearing within 21 days of the published notice. If a hearing is requested, the Board will deny the parties' request for relief and schedule a hearing.

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 7th day of December 2000 by a vote of 7-0.

A handwritten signature in cursive script that reads "Dorothy M. Gunn". The signature is written in black ink and is positioned above a solid horizontal line.

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board