

ILLINOIS POLLUTION CONTROL BOARD

December 7, 2000

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 00-109
) (Enforcement – Air)
ARTURO RIVERO d/b/a SWISS)
CLEANERS,)
)
Respondent.)

ORDER OF THE BOARD (by N.J. Melas):

On December 29, 1999, the People of the State of Illinois (People) filed a three-count complaint against respondent Arturo Rivero d/b/a Swiss Cleaners (Rivero), a dry cleaning facility operator. The complaint alleges Rivero failed to submit compliance reports at its facility located at 1524 West 51st Street, Chicago, Cook County, Illinois. Additionally, the complaint alleges Rivero failed to submit compliance reports and violated construction permit laws and regulations at its facility located at 1717 East Sauk Trail, Sauk Village, Cook County, Illinois. These actions are in alleged violation of Sections 9(a), 9(b), and 9.1(d)(1) and (d)(2), of the Environmental Protection Act (Act) (415 ILCS 5/9(a), 9(b), 9.1(d)(1), (d)(2) (1998)), the Board's air pollution regulations at 35 Ill. Adm. Code 201.142, and 40 C.F.R. §§ 63.320(b) and (c), and 63.324(b).

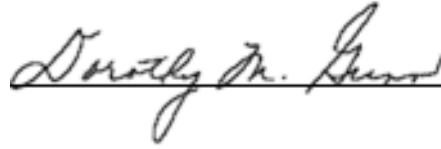
On November 28, 2000, the parties filed a stipulation and proposal for settlement. On November 29, 2000, the parties filed a motion requesting relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (1998)). In the proposed stipulation Rivero neither admits nor denies the allegations contained in the complaint. Rivero proposes to pay a \$800 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, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board