

ILLINOIS POLLUTION CONTROL BOARD
September 15, 1977

PEOPLE OF THE STATE OF ILLINOIS)	
and ENVIRONMENTAL PROTECTION AGENCY,)	
)	
Complainants,)	
)	
)	
v.)	PCB 76-290
)	
)	
DODGE TROPHIES and PLATING, INC.,)	
a Delaware corporation,)	
)	
Respondent.)	

MS. ANNE MARKEY, ASSISTANT ATTORNEY GENERAL, APPEARED ON BEHALF OF COMPLAINANTS;
MR. LARRY R. EATON, PETERSON, ROSS, RALL, BARBER & SEIDEL, APPEARED ON BEHALF OF RESPONDENT.

OPINION AND ORDER OF THE BOARD (by Mr. Werner):

I. LEGAL BACKGROUND

This matter comes before the Board upon the November 10, 1976 Complaint by the Attorney General charging Dodge Trophies and Plating, Inc. (Dodge) with violations of Rule 953(a) of Chapter 3: Water Pollution and Section 12(b) of the Environmental Protection Act (Act). An Amended Complaint was filed on December 14, 1976 adding the Environmental Protection Agency (Agency) as a Complainant. A Motion to Dismiss brought by Dodge was denied by the Board Order of April 28, 1977. A hearing was held on May 9, 1977, and the parties filed a Stipulation of Facts and Proposed Settlement on August 31, 1977.

II. FACTUAL BACKGROUND

Dodge operates a facility used for trophy plating located near Crystal Lake, McHenry County, Illinois. Wastewater generated by its operations, containing heavy metals and cyanide, is treated at a wastewater treatment plant (WWTP) operated by Dodge at the site. Following treatment, a residue of heavy metals is collected in the form of a sludge and disposed. Treated wastewater is discharged into a subsurface leaching pit located at the site.

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In 1967, Dodge received a permit from the Sanitary Water Board to install and operate its WWTP, but has never received an Agency operating permit.

Dodge, in its stipulation, admits having operated its WWTP without an operating permit since January 1, 1973.

III. STIPULATION AND PROPOSED SETTLEMENT

In the Proposed Settlement, Dodge has agreed to take numerous compliance measures. Existing rinse tanks used in Dodge's plating operations will be modified and curbs will be installed to contain spills of plating solutions. Dodge also agrees to operate its existing WWTP in the manner prescribed in the Proposed Settlement, provide for the evaporation of treated wastewater, devise a method of sludge disposal, and relocate a by-pass pipe leading from its WWTP. Dodge will excavate its subsurface leaching pit and remove the surrounding soil. Dodge will also provide a certified operator for its WWTP. Finally, Dodge agrees to file progress reports, keep daily records of the volume of wastewater resulting from its rinsing operations, and permit representatives of the Attorney General and the Agency to inspect its facility. Every requirement in this compliance program will be completed within eight months of the date of this Order.

IV. BOARD ORDER

The Board accepts the Stipulation of Fact and Proposed Settlement and finds Dodge in violation of Rule 953(a) of Chapter 3: Water Pollution and Section 9(b) of the Act. The Board imposes the stipulated penalty of \$1,000.00.

This Opinion and Order constitute the findings of fact and conclusions of law of the Board in this matter.

ORDER

It is the Order of the Pollution Control Board that:

1. Dodge is in violation of Rule 953(a) of Chapter 3: Water Pollution and Section 9(b) of the Act.
2. Dodge shall comply with all the terms of the Stipulation of Facts and Proposed Settlement filed August 31, 1977, which is incorporated by reference as if fully set forth herein.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 15th day of September, 1977, by a vote of 5-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board

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