

ILLINOIS POLLUTION CONTROL BOARD
May 17, 1973

ENVIRONMENTAL PROTECTION AGENCY)

v.)

PCB 72-488)

ADDRESSOGRAPH-MULTIGRAPH CORPORATION)

OPINION AND ORDER OF THE BOARD (by Mr. Dumelle)

This is an enforcement action involving an alleged violation of Section 12(a) of the Act and Rule 1.03(b) of the Illinois Sanitary Water Board Regulations, SWB-14 on October 11, 1971. Hearing was held on February 13, 1973. A Stipulation of Facts has been filed by the parties.

On the date in question, a fuel oil truck, in the process of filling a fuel oil tank on respondent's premises in Mt. Prospect overloaded the tank by approximately 200 gallons. The spillage flowed into the parking lot but some did enter a storm sewer. The respondent immediately began cleanup activities which included shoveling the oil directly into barrels and applying an oil absorbent material to the ground. The company was not aware that any of the oil had reached the sewer. It wasn't until two days later, after a rainfall, that any oil appeared in Weller Creek. Evidently, the oil had remained in the sewer until the rain washed it out. The No. 6 oil had coated the surface of the Creek and rock banks until stopped by a burlap dam.

The company spent over \$15,000 as a result of the spill. About half of that was for cleanup operations. The balance was spent on equipment to prevent such spills in the future. The Agency appears satisfied with the company's efforts to cleanup the spill and also with their abatement program.


Based upon the Stipulation we find that the violations did occur. We also find that the company exercised good faith and diligence in both the cleanup and its remedial program. Accordingly, we will assess no penalty.

Addressograph-Multigraph Corporation is found guilty of violating

Section 12(a) of the Act and Rule 1.03(b) of SWB-14 as alleged.
No penalty is assessed.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 17th day of May, 1973 by a vote of 4-3.



Christan L. Moffett, Clerk
Illinois Pollution Control Board