

ILLINOIS POLLUTION CONTROL BOARD
February 19, 2004

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 03-5
) (Enforcement - Air)
STAR ELECTRONICS, INC., an Illinois)
corporation,)
)
Respondent.)

ORDER OF THE BOARD (by A.S. Moore):

On July 11, 2002, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Star Electronics, Inc. The complaint concerns the company's circuit board manufacturing facility located at 825 Pratt Blvd., in Elk Grove Village, Cook County. The parties now seek to settle without a hearing. For the reasons below, the Board directs the Clerk to provide public notice of the parties' stipulation, proposed settlement, and request for relief from the hearing requirement.

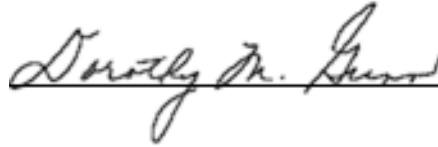
Under the Environmental Protection Act (Act) (415 ILCS 5/1 *et seq.* (2002)), the Attorney General and the State's Attorneys may bring actions before the Board to enforce Illinois' environmental requirements on behalf of the People. *See* 415 ILCS 5/31 (2002); 35 Ill. Adm. Code 103. In this case, the People allege that Star Electronics violated Section 9(a) of the Act (415 ILCS 5/9(a) (2002)) and Section 201.141 of the Board's air pollution regulations (35 Ill. Adm. Code 201.141) by causing an uncontrolled chemical reaction at its facility, releasing chlorine to the ambient air and forming a noxious cloud.

On February 11, 2004, the People and Star Electronics filed a stipulation and proposed settlement, accompanied by a request for relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (2002)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2002)), which requires that the public have an opportunity to request a hearing whenever the State and a respondent propose settling an enforcement action without a public hearing. *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, Star Electronics admits the alleged violations and agrees to pay a civil penalty of \$10,000.

Unless the Board determines that a hearing is needed, the Board must cause notice of the stipulation, proposed settlement, and request for relief from the hearing requirement. Any person may file a written demand for hearing within 21 days after receiving the notice. If anyone timely files a written demand for hearing, the Board will deny the parties' request for relief and hold a hearing. *See* 415 ILCS 5/31(c)(2) (2002); 35 Ill. Adm. Code 103.300(b), (c). The Board directs the Clerk to provide the required notice.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on February 19, 2004, by a vote of 5-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board