

ILLINOIS POLLUTION CONTROL BOARD
August 5, 2004

PEOPLE OF THE STATE OF ILLINOIS,)
)
 Complainant,)
)
 v.) PCB 99-120
) (Enforcement – Air, Land)
WOOD RIVER REFINING COMPANY, a)
division of EQUILON ENTERPRISES, LLC,)
)
 Respondent.)

ORDER OF THE BOARD (by G.T. Girard):

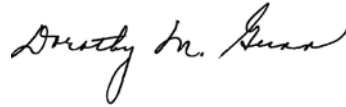
On February 23, 1999, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Wood River Refining Company. *See* 415 ILCS 5/31(c)(1) (2002); 35 Ill. Adm. Code 103.204. On July 5, 2000, the People filed a supplemental complaint against respondent. The People allege that respondent violated Sections 9(a), 9(b), 21(e) of the Environmental Protection Act (Act) (415 ILCS 5/9(a), (b), and 21(e) (2002)). The People further allege that respondent violated the Board’s rules at 35 Ill. Adm. Code 201.141, 219.123(b)(4) and (6), 219.123 (b)(3)(A), 219.124(a)(2)(A) and (B), 722.112(c), 722.120(a), 722.123, 728.107(a)(1), and 728.138(a). The People assert that respondent violated these provisions by releasing contaminants into the air and improperly transporting solid waste to landfills. The complaint concerns respondent’s petroleum refining facility at 900 South Central Avenue, Roxana, Madison County.

On July 30, 2004, the People and respondent 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) (2000)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2000)). *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, the respondent denies the alleged violations and agrees to pay a civil penalty of \$126,000.

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. 415 ILCS 5/31(c)(2) (2002); 35 Ill. Adm. Code 103.300(b), (c). The Board directs the Clerk of the Board 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 August 5, 2004, by a vote of 4-0.

A handwritten signature in cursive script that reads "Dorothy M. Gunn".

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board