

ILLINOIS POLLUTION CONTROL BOARD
April 21, 2005

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 05-63
)	(Enforcement - Air)
NORTH ROCKWELL, LLC, and Illinois)	
limited liability corporation,)	
)	
Respondent.)	

ORDER OF THE BOARD (by T.E. Johnson):

On October 4, 2004, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against North Rockwell, LLC (North Rockwell). The complaint concerns removal of thermal shield insulation (TSI) containing asbestos from North Rockwell's former print shop facility at 2609 West Belmont, Chicago, Cook County. The Board accepted the complaint for hearing on October 7, 2004.

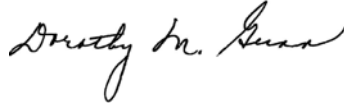
The People allege that North Rockwell violated Section 9(a) and 9.1(d)(1) of the Environmental Protection Act (Act) (415 ILCS 5/9(a) and 9.1(d)(1) (2002)); 35 Ill. Adm. Code 201.141; and 40 C.F.R. 61.145(b)(1) and (b)(3) and 61.150 (b)(1) by (1) removing TSI containing asbestos without wetting and containing it at the site; (2) failing to wet and maintain wet the regulated asbestos-containing regulated material until collected and contained for disposal; (3) failing to submit a notice of intention to renovate within the required time; and (4) causing or allowing the generation of asbestos-containing waste material and failing to deposit that waste in a site permitted to receive it as soon as practical.

On April 15, 2005, the People and North Rockwell 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). These filings are authorized by Section 31(c)(2) of the Act. 415 ILCS 5/31(c)(2) (2002). *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, North Rockwell admits to the violations alleged in the complaint, and agrees to pay a civil penalty of \$37,000.

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 April 21, 2005, by a vote of 5-0.

A handwritten signature in cursive script, appearing to read "Dorothy M. Gunn".

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board