ILLINOIS POLLUTION CONTROL BOARD November 4, 2004

PEOPLE OF THE STATE OF ILLINOIS,)	
Complainant,)	
•)	PCB 04-101
V.)	(Enforcement - Air)
DUPAGE MACHINE PRODUCTS, INC., a)	
Delaware corporation,)	
Desmandant)	
Respondent.)	

ORDER OF THE BOARD (by J.P. Novak):

On December 23, 2003, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against DuPage Machine Products, Inc. (DuPage Machine Products). *See* 415 ILCS 5/31(c)(1) (2002); 35 Ill. Adm. Code 103.204. The People allege that DuPage Machine Products violated Section 9(b) and 9.1(d)(2) of the Environmental Protection Act (Act) (415 ILCS 5/9(b) and 9.1(d)(2) (2002)); 35 Ill. Adm. Code 201.302(a), 254.132(a), and 254.137(a); 40 C.F.R. 63.467(b) and 63.468(f) and (h), as enforceable under Section 9.1(d) of the Act (35 Ill. Adm. Code 5/9.1(d) (2002)); and conditions 6(b)(v)(A) and (b)(v)(B) and 7(b) and (c) of federally enforceable state operating permit (FESOP) number 97050122. The People further allege that DuPage Machine Products violated these provisions by failing to maintain required records and submit required reports to the Illinois Environmental Protection Agency. The complaint concerns DuPage Machine Products's screw products manufacturing facility at 99 International Boulevard, Glendale Heights, DuPage County.

On October 25, 2004, the People and DuPage Machine Products 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)). See 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, the DuPage Machine Products neither admits nor denies the alleged violations but agrees to pay a civil penalty of \$37,500.

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) (2000); 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 November 4, 2004, by a vote of 5-0.

Drestly In Sun Dorothy M. Gunn, Clerk Illinois Pollution Control Board