

ILLINOIS POLLUTION CONTROL BOARD

December 1, 2005

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 05-192
	)	(Enforcement - Air)
BAG MAKERS, INC., an Illinois corporation,	)	
	)	
Respondent.	)	

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

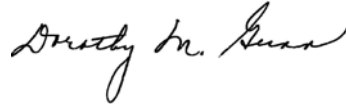
On April 29, 2005, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Bag Makers, Inc. (Bag Makers). *See* 415 ILCS 5/31(c)(1) (2004); 35 Ill. Adm. Code 103.204. The People allege that Bag Makers violated Section 9(a) and (b) and 39.5(6)(b) of the Environmental Protection Act (Act) (415 ILCS 5/9(a) and (b) and 39.5(6)(b) (2004)) and 35 Ill. Adm. Code 201.142, 201.143, 201.302(a), 203.201, 218.404(b), 254.132(a), and 254.137(a). The People further allege that Bag Makers violated these provisions by (1) constructing air emission sources without a permit; (2) failing to obtain operating permits for new air emission sources; (3) failing to obtain a Clean Air Act Permit Program permit; (4) failing to comply with New Source Review requirements; (5) failing to timely submit annual emissions reports; and (6) violating flexographic printing rules and failing to maintain records. The complaint concerns Bag Makers' flexographic printing facility at 6606 South Union Road, Union, McHenry County.

On November 16, 2005, the People and Bag Makers 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) (2004). This filing is authorized by Section 31(c)(2) of the Act. 415 ILCS 5/31(c)(2) (2004). *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, Bag Makers neither admits nor denies the alleged violations and agrees to pay a civil penalty of \$62,700.

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 December 1, 2005, by a vote of 4-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn".

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board