

ILLINOIS POLLUTION CONTROL BOARD

May 18, 2006

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 06-2
)	(Enforcement – Land)
LAIDLAW CORPORATION, an Illinois)	
corporation,)	
)	
Respondent.)	

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

On July 6, 2005, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Laidlaw Corporation, an Illinois Corporation (Laidlaw). The complaint alleges that Laidlaw violated Sections 21(f)(1), (f)(2), and (i) of the Environmental Protection Act (Act) (415 ILCS 5/21(f)(1), (f)(2), and (i) (2004)); and 35 Ill. Adm. Code 703.121(a), 722.111, 722.134(a)(4), 722.140(c), and 725.116, by not maintaining records of test results for the waste paint liquid for at least three years; by determining that the waste paint liquid was non-hazardous without supporting documentation; by storing hazardous waste in violation of regulations adopted by the Board; by conducting a process which produces hazardous waste in violation of regulations or standards adopted by the Board; by not conducting update employee training on hazardous waste management procedures; and by storing hazardous waste without a permit.

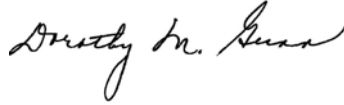
The People allege that the violations occurred at Laidlaw's manufacturing facility located at 5326 Industrial Park Road, Metropolis, Massac County. The Board accepted the complaint for hearing on July 21, 2005.

On April 28, 2006, the People and Laidlaw 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). These filings are 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, Laidlaw admits the violations alleged in the complaint, and agrees to pay a civil penalty of \$25,000.

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) (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 May 18, 2006, by a vote of 4-0.

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

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board