

ILLINOIS POLLUTION CONTROL BOARD

July 6, 2006

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 05-181
)	(Enforcement – Air)
PATTISON ASSOCIATES LLC, an Illinois)	
limited liability company, and)	
5701 SOUTH CALUMET LLC, an Illinois)	
limited liability company,)	
)	
Respondents.)	

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

On April 4, 2005, the People of the State of Illinois (People) filed a five-count air pollution complaint against respondents Pattison Associates LLC and 5701 South Calumet LLC (collectively, respondents). The complaint concerns renovation activities conducted by Pattison at an apartment complex owned by 5701 Calumet in Chicago, Cook County.

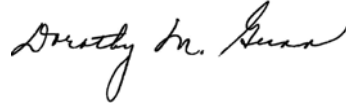
In the complaint, the People allege that the respondents violated Section 9(a) and 9.1(d)(1) of the Environmental Protection Act (Act) (415 ILCS 5/9(a) and 9.1(d)(1) (2004)); 40 C.F.R. 61.145(a), (b)(1), (c)(1), (c)(3), (c)(6) and (c)(8) and 61.150(b)(1); and 35 Ill. Adm. Code 201.141. The People further allege that the respondents violated these provisions by (1) causing, threatening, or allowing air pollution; (2) failure to thoroughly inspect a structure prior to renovation; (3) failing to notify USEPA of demolition or renovation activity; (4) failing to follow proper emission control procedures; and (5) failing to follow proper disposal procedures. The Board accepted the case for hearing on April 7, 2005.

On June 14, 2006, the People and the respondents 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, the respondents do not affirmatively admit the violations alleged in the complaint, but agree to pay a civil penalty of \$20,000.

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) (2004); 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 July 6, 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