

ILLINOIS POLLUTION CONTROL BOARD
September 21, 2000

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 97-135
) (Enforcement - Air)
CHAMPION ENVIRONMENTAL SERVICES, a)
Wisconsin corporation,)
)
Respondent.)

ORDER OF THE BOARD (by N.J. Melas):

On February 11, 1997, the People of the State of Illinois (People) filed a two-count complaint against respondent Champion Environmental Services (Champion), an asbestos abatement contractor. On February 8, 2000, the People filed a five-count amended complaint against Champion. The amended complaint alleges Champion caused air pollution, failed to provide timely notice prior to demolition or renovation, failed to provide complete notice of demolition or renovation, failed to follow proper emission control procedures, and failed to properly dispose of waste at ten facilities within Illinois, in violation of Sections 9(a) and 9.1(d) of the Environmental Protection Act (Act) (415 ILCS 5/9(a), 9.1(d) (1998)), the Board's air regulations at 35 Ill. Adm. Code 201.141, and the asbestos National Emission Standards for Hazardous Air Pollutants at 40 C.F.R § 61.150(a)(iv) and 61.145(b)(1), (b)(3), (b)(4), (c)(4), (c)(6).

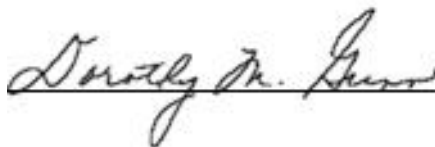
In addition to the complaint and amended complaint, on September 8, 2000, the parties filed a stipulation and proposal for settlement, accompanied by a motion requesting relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (1998)). In the proposed stipulation Champion denies the allegations contained in counts I, IV, and V. Champion admits the violations contained in counts II and III, but asserts that a miscommunication with the Illinois Environmental Protection Agency contributed to those violations. Champion proposes to pay a \$25,000 penalty.

Pursuant to Section 31(c)(2) of the Act, the complainant may file with the Board a stipulation and proposal for settlement accompanied by a request for relief from the hearing requirement. (415 ILCS 5/31(c)(2) (1998)). Unless the Board determines that a hearing is needed, the Board is required to publish notice of the stipulation and proposal for settlement and request for relief from the hearing requirement.

Accordingly, the Board directs the Clerk of the Board to cause publication of the required newspaper notice. Any person may file a written demand for hearing within 21 days of the published notice. If a hearing is requested, the Board will deny the parties' request for relief and schedule a hearing.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 21st day of September 2000 by a vote of 7-0.



Dorothy M. Gunn, Clerk

