

ILLINOIS POLLUTION CONTROL BOARD
July 12, 2007

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 05-219
) (Enforcement-RCRA)
CONAIR CORPORATION, a Delaware)
corporation,)
)
Respondent.

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

On June 27, 2005, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Conair Corporation. *See* 415 ILCS 5/31(c)(1) (2006); 35 Ill. Adm. Code 103.204. The complaint concerns Conair Corporation's personal care products packaging facility at 205 Shelhouse Drive, Rantoul, Champaign County. For the reasons below, the Board directs the Clerk to provide public notice of the parties' stipulation, proposed settlement, and request for relief from the hearing requirement.

Under the Environmental Protection Act (Act) (415 ILCS 5 (2006)), the Attorney General and the State's Attorneys may bring actions before the Board to enforce Illinois' environmental requirements on behalf of the People. *See* 415 ILCS 5/31 (2006); 35 Ill. Adm. Code 103. In this case, the People allege that, in 2004, Conair Corporation violated Sections 9(b); 21(a), (e), (f), and (i); and 22.48 of the Act (415 ILCS 5/9(b); 21(a), (e), (f), and (i); and 22.48 (2006)) and 35 Ill. Adm. Code 201.142; 703.121(a)(1); 703.150; 722.134(a), (c), and (e); 722.141(a); 722.142(a); 725.113(a) and (b); 725.114(c); 725.115(a), (b), and (d); 725.116(a) through (d); 725.152(a), (c), (d) and (e); 725.133; 725.137; 725.153; 725.155; 725.175; 725.212(a); 725,242(a); 725.243; 725.273(a); 725.274; and 808.121(a).

The People further allege that Conair Corporation violated these provisions by (1) constructing and operating a source of air pollution without a permit; (2) violating hazardous waste generator standards relating to the accumulation of hazardous waste and the packaging or storage of universal waste and special waste; (3) violating hazardous waste analysis, analysis plan, analytical results record retention, and posting of warning signs in a hazardous waste management area of the hazardous waste treatment, storage, and disposal facility standards; (4) violating hazardous waste employee training requirements; (5) violating hazardous waste permit requirements; (6) violating hazardous waste reporting requirements; (7) violating hazardous waste contingency planning requirements; (8) failing to test emergency equipment and to notify and familiarize local emergency personnel; (9) failing to perform equipment inspections; and (10) violating hazardous waste treatment, storage, and disposal facility closure plan requirements.

On July 5, 2007, the People and Conair Corporation 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) (2006)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2006)), which requires that the public have an opportunity to request a hearing whenever the State and a respondent propose settling an enforcement action without a public hearing. *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, Conair Corporation does not affirmatively admit the alleged violations but agrees to pay a civil penalty of \$60,000.

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) (2006); 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, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on July 12, 2007, by a vote of 4-0.



John T. Therriault, Assistant Clerk
Illinois Pollution Control Board