

ILLINOIS POLLUTION CONTROL BOARD

June 6, 2002

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 00-227
) (Enforcement - Air)
GOELITZ CONFECTIONERY COMPANY,)
and GOELITZ CONFECTIONERY)
EXPORT COMPANY, INC, Illinois)
corporations,)
)
Respondents.)

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

On June 28, 2000, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Goelitz Confectionery Company and Goelitz Confectionery Export Company (respondents). *See* 415 ILCS 5/31(c)(1) (2000); 35 Ill. Adm. Code 103.204. The People allege in the complaint that respondents violated Sections 9(a) and (b), and 39.5(6)(b) of the Environmental Protection Act (Act) (415 ILCS 5/9(a), (b) and 39.5(6)(b) (2000)), as well as 35 Ill. Adm. Code 201.141, 201.142, 201.143, 201.144, 201.302(a), 205.310, 218.986, 254.201, 254.202, 270.201 and 270.301(a). In the stipulation's terms of settlement, the respondent admits that violations occurred as alleged in the complaint.

The People further allege that the respondents violated these provisions by discharging or emitting volatile organic material (VOM) from the facility into the environment from the uncontrolled operation of 54 engrossers and 39 polishing units during the cooking, flavoring, coloring and polishing of the confection products they produce and distribute. The complaint concerns respondents' confectionery facility at 1501 Morrow Avenue, North Chicago, Lake County.

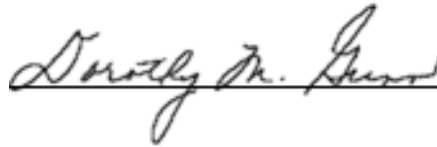
On May 16, 2002, the People and the respondents filed a stipulation and proposed settlement, accompanied by a request for relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (2000)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2000)). *See* 35 Ill. Adm. Code 103.300(a).

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 June 6, 2002, by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board