

Under the proposed stipulation, the People contend that based on a July 17, 2007 inspection of the facility by the Illinois Environmental Protection Agency (Agency), Plastic Capacitors has violated Sections 9(a), 9(b), and 9.1(d)(1) of the Act (415 ILCS 5/9(a), 9(b), 9.1(d)(1) (2006)), 40 C.F.R. §§ 63.463(a)(3), (a)(5), (b), (d)(8), (e), 40 C.F.R. § 63.467(b), conditions 5(c), 5(d), 7(a), 7(b), and 9(b) of the NESHAP Source Permit No. 73100136, and Section 201.302(a) of the Board's air pollution regulations (35 Ill. Adm. Code 201.302(a)). The People allege that Plastic Capacitors violated these provisions by operating the degreaser without the required freeboard ratio, failing to maintain records of the freeboard ratio and modifications thereto, failing to maintain records of air blanket temperature, failing to monitor air blanket temperature, failing to maintain records of hoist speed, failing to monitor hoist speed, operating the degreaser with excessive hoist speed, failing to use threaded or other leakproof couplings when transferring solvent to and from the degreaser, failing to equip the degreaser with a vapor level control device, and failing to submit annual emissions reports. Under the proposed stipulation, Plastic Capacitors does not affirmatively admit the violations alleged in the complaint or allegedly observed by the Agency on July 17, 2007, but agrees to pay a civil penalty of \$1,000.00.

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. *See* 415 ILCS 5/31(c)(2) (2006); 35 Ill. Adm. Code 103.300(b), (c). The Board directs the Clerk to provide the required notice.

IT IS SO ORDERED.

I, John Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on March 5, 2009, by a vote of 5-0.



John Therriault, Assistant Clerk
Illinois Pollution Control Board