

ILLINOIS POLLUTION CONTROL BOARD

August 22, 2002

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 03-17
	)	(Enforcement - Air)
PETROLEUM FUEL & TERMINAL	)	
COMPANY, a Missouri corporation,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by C.A. Manning):

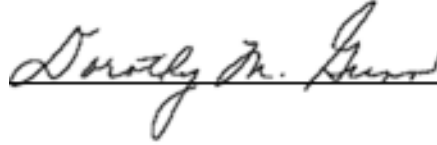
On August 20, 2002, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a two-count complaint against Petroleum Fuel & Terminal Company (respondent). *See* 415 ILCS 5/31(c)(1) (2000) *as amended by* P.A. 92-0574, eff. June 26, 2002; 35 Ill. Adm. Code 103.204. The People allege that respondent violated Section 9(a) of the Environmental Protection Act (Act) (415 ILCS 5/9(a) (2000)) and 35 Ill. Adm. Code 201.141. The People further allege that respondent violated these provisions by causing or allowing fires in asphalt storage tanks on July 10, 2001 and August 15, 2001 that discharged contaminants into the environment so as to cause or tend to cause air pollution. The complaint concerns respondent's fuel storage and terminal facility in Granite City, Madison County.

Additionally on August 20, 2002, the People and respondent 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) *as amended by* P.A. 92-0574, eff. June 26, 2002). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2000) *as amended by* P.A. 92-0574, eff. June 26, 2002). *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, respondent does not admit the alleged violations, but agrees to pay a civil penalty of \$22,000. Additionally, respondent agrees to performance of a Supplemental Environmental Project or payment of an additional \$28,000 in penalties if it fails to do so.

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) *as amended by* P.A. 92-0574, eff. June 26, 2002; 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 August 22, 2002, by a vote of 7-0.

A handwritten signature in cursive script that reads "Dorothy M. Gunn". The signature is written in black ink and is positioned above a solid horizontal line.

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board