

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

PEOPLE OF THE STATE OF ILLINOIS,	)	
by KWAME RAOUL, Attorney General	)	
of the State of Illinois,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB No. 2020-
	)	(Enforcement)
CLIFFORD-JACOBS FORGING CO.,	)	
	)	
Respondent.	)	

**NOTICE OF FILING**

TO: See attached service list

PLEASE TAKE NOTICE that I did on September 10, 2019, file with the Office of the Clerk of the Illinois Pollution Control Board by electronic filing the following Notice of Filing, Complaint, Stipulation and Proposal for Settlement and Motion for Relief from Hearing Requires, copies of which are attached and hereby served upon you. You may be required to answer the charges of the Complaint at a hearing before the Board, at a date set by the Board.

Failure to file an answer to this complaint within 60 days may have severe consequences. Failure to answer will mean that all allegations in the complaint will be taken as if admitted for purposes of this proceeding. If you have any questions about this procedure, you should contact the hearing officer assigned to this proceeding, the clerk's office, or an attorney.

NOTIFICATION - YOU ARE HEREBY NOTIFIED that financing may be available through the Illinois Environmental Facilities Financing Act [20 ILCS 3515/1, et seq.] to correct the alleged violations.

PEOPLE OF THE STATE OF ILLINOIS  
KWAME RAOUL, ATTORNEY GENERAL

MATTHEW J. DUNN, Chief  
Environmental Enforcement/Asbestos  
Litigation Division

BY: s/Emma L. Hudspath  
Emma L. Hudspath, #6324083  
Environmental Bureau  
Assistant Attorney General  
500 South Second Street  
Springfield, Illinois 62701  
217/782-9031  
[ehudspath@atg.state.il.us](mailto:ehudspath@atg.state.il.us)  
[ebs@atg.state.il.us](mailto:ebs@atg.state.il.us)

Dated: September 10, 2019.

Service List

For the Respondent

Clifford-Jacobs Forging Company  
c/o James Hacking, Registered Agent  
2410 North 5th Street  
P.O. Box 830  
Champaign, IL 61824-0830  
Via certified mail return receipt requested

**BEFORE THE ILLINOIS POLLUTION BOARD**

<b>PEOPLE OF THE STATE OF ILLINOIS,</b>	)	
<b>by KWAME RAOUL, Attorney General</b>	)	
<b>of the State of Illinois,</b>	)	
	)	
<b>Complainant,</b>	)	
	)	
<b>v.</b>	)	<b>PCB No. 2019-</b>
	)	<b>(Enforcement-Air)</b>
<b>CLIFFORD-JACOBS FORGING COMPANY,</b>	)	
<b>an Illinois corporation,</b>	)	
	)	
<b>Respondent.</b>	)	

**COMPLAINT**

Complainant, PEOPLE OF THE STATE OF ILLINOIS, by KWAME RAOUL, Attorney General of the State of Illinois, complains of the Respondent, CLIFFORD-JACOBS FORGING COMPANY, an Illinois corporation, as follows:

**COUNT I**  
**FAILURE TO SUBMIT ANNUAL EMISSIONS REPORT**

1. This Count is brought on behalf of the People of the State of Illinois, by Kwame Raoul, Attorney General of the State of Illinois, on his own motion and at the request of the Illinois Environmental Protection Agency ("Illinois EPA"), pursuant to Section 31 of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31 (2018).

2. The Illinois EPA is an administrative agency of the State of Illinois, created pursuant to Section 4 of the Act, 415 ILCS 5/4 (2018), and is charged, *inter alia*, with the duty of enforcing the Act in proceedings before the Illinois Pollution Control Board.

3. This Complaint is brought pursuant to Section 31 of the Act, 415 ILCS 5/31 (2018), after providing Respondent, Clifford-Jacobs Forging Company, ("Respondent"), with notice and the opportunity for a meeting with the Illinois EPA.

4. At all times relevant to this Complaint, the Respondent is and was the operator of a metal forging, shaping, and heat treating facility at 2410 North 5<sup>th</sup> Street, Champaign, Champaign County, Illinois ("Facility").

5. Respondent is an Illinois corporation in good standing and authorized to do business in the State of Illinois by the Illinois Secretary of State.

6. The Facility currently consists of the following emission sources: multiple natural gas fired/distillate fuel oil-fired boilers, ten natural gas-fired forge furnaces, eleven natural gas-fired and/or fuel oil-fired forge furnace hammers, one natural gas-fired black smith furnace, one natural gas-fired die heater furnace, and one natural gas-fired stress relief furnace.

7. The emission sources at the Facility are capable of emitting particulate matter ("PM").

8. On December 18, 2012, Respondent was issued an operating permit by the Illinois EPA for emission units at the Facility.

9. Section 9(a) of the Act, 415 ILCS 5/9(a) (2018), provides as follows:

No person shall:

- (a) Cause or threaten or allow the discharge or emission of any contaminant into the environment in any State so as to cause or tend to cause air pollution in Illinois, either alone or in combination with contaminants from other sources, or so as to violate regulations or standards adopted by the Board under this Act.

10. Section 3.315 of the Act, 415 ILCS 5/3.315 (2018), provides the following definition:

"Person" means any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, state agency, or any other legal entity, or their legal representative, agent or assigns.

11. Respondent, a corporation, is a "person" as that term is defined in Section 3.315 of the Act, 415 ILCS 5/3.315 (2018).

12. Section 3.115 of the Act, 415 ILCS 5/3.115 (2018), provides the following definition:

"Air pollution" is the presence in the atmosphere of one or more contaminants in sufficient quantities and of such characteristics and duration as to be injurious to human, plant, or animal life, to health, or to property, or to unreasonably interfere with the enjoyment of life or property.

13. Section 3.165 of the Act, 415 ILCS 5/3.165 (2018), provides the following definition:

"Contaminant" is any solid, liquid, or gaseous matter, any odor, or any form of energy, from whatever source.

14. PM is a "contaminant" as that term is defined in Section 3.165 of the Act, 415 ILCS 5/3.165 (2018).

15. Because the equipment described in paragraph 7, above, emits, emitted, and/or is capable of emitting PM to the atmosphere, the aforementioned equipment is capable of causing or contributing to air pollution.

16. Section 201.302(a) of the Board's Air Pollution Regulations, 35 Ill. Adm. Code 201.302(a), provides as follows:

- a) The owner or operator of any emission unit or air pollution control equipment meeting the applicability criteria contained in 35 Ill. Adm. Code 254.102 shall submit to the Agency as a minimum, annual reports detailing the nature, specific emission units and total annual quantities of all specified air contaminant emissions; provided, however, that the Agency may require more frequent reports when necessary to accomplish the purposes of the Act and this Chapter.

17. Section 254.102(b) of the Illinois EPA's Air Pollution Regulations, 35 Ill. Adm.

Code 254.102(b), provides as follows:

- b) Subpart C of this Part applies to the owner or operator of any source of regulated air pollutants required to have an operating permit in accordance with 35 Ill. Adm. Code 201 that is not subject to subsection (a) of this Section.

18. Section 254.132(a) of the Illinois EPA's Air Pollution Regulations, 35 Ill. Adm.

Code 254.132(a), provides as follows:

- a) Failure to file a complete Annual Emissions Report by the applicable deadlines prescribed in Section 254.137(a) of this Subpart shall be a violation of this Part and 35 Ill. Adm. Code 201.302(a).

19. Section 254.137(a) of the Illinois EPA's Air Pollution Regulations, 35 Ill. Adm.

Code 254.137(a), provides as follows:

- a) All Annual Emissions Reports are due by May 1 of the year following the calendar year in which the emissions took place.

20. Section 201.101(b) of the Board's Air Pollution Regulations, 35 Ill. Adm. Code

201.101(b), provides as follows:

- b) All terms defined in 35 Ill. Adm. Code 211 which appear in this Part have the definitions specified by 35 Ill. Adm. Code 211.

21. Section 211.4370 of the Board's Air Pollution Regulations, 35 Ill. Adm. Code

211.4370, provides the following definition:

"Owner or operator" means any person who owns, operates, leases, controls, or supervises a source, an emission unit or air pollution control equipment.

22. Section 211.5500(b) of the Board's Air Pollution Regulations, 35 Ill. Adm. Code 211.5500, provides the following definition:

- (b) "Regulated air pollutant" shall, for the purposes of 35 Ill. Adm. Code 201.180(a), mean any air contaminant as to which this Subtitle contains emission standards or other specific limitations and any contaminant regulated in Illinois pursuant to Section 9.1 of the Act.

23. Section 211.1950 of the Board's Air Pollution Regulations, 35 Ill. Adm. Code 211.1950, provides the following definition:

"Emission unit" means any part or activity at a stationary source that emits or has the potential to emit any air pollutant.

24. PM is a regulated air pollutant as that term is defined in Section 211.5500 of the Board's Air Pollution Regulations, 35 Ill. Adm. Code 211.5500.

25. Respondent is an "owner or operator," as that term is defined in Section 211.4370 of the Board's Air Pollution Regulations, 35 Ill. Adm. Code 211.4370, of the emission units at the Facility and, therefore, was required to submit an AER to the Illinois EPA, by May 1 of the following calendar year in which the emissions took place pursuant to Section 254.137(a) of the Illinois EPA's Air Pollution Regulations, 35 Ill. Adm. Code 254.137(a).

26. Respondent submitted an AER for the year 2017 on January 31, 2019 to the Illinois EPA. This AER was submitted to Illinois EPA approximately 276 days late.

27. By failing to submit an AER for the Facility for the year 2017 to the Illinois EPA by May 1, 2018, Respondent violated Section 201.302(a) of the Board's Air Pollution Regulations, 35 Ill. Adm. Code 201.302(a), and Section 254.132(a) of the Illinois EPA's Air Pollution Regulations, 35 Ill. Adm. Code 254.132(a).

28. By failing to submit to the Illinois EPA an AER for the year 2017 by May 1, 2018, in violation of Board regulations, Respondent thereby violated Section 9(a) of the Act, 415 ILCS 5/9(a) (2018).

**PRAYER FOR RELIEF**

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that the Board enter an order against Respondent, CLIFFORD-JACOBS FORGING COMPANY:

A. Authorizing a hearing in this matter at which time the Respondent will be required to answer the allegations herein;

B. Finding that Respondent has violated Section 9(a) of the Act, 415 ILCS 5/9(a) (2018), Section 201.302(a) of the Board's Air Pollution Regulations, 35 Ill. Adm. Code 201.302(a), and Section 254.132(a) of the Illinois EPA Air Pollution Regulations, 35 Ill. Adm. Code 254.132(a);

C. Ordering the Respondent to cease and desist from any further violations of Section 9(a) of the Act, 415 ILCS 5/9(a) (2018), Section 201.302(a) of the Board's Air Pollution Regulations 201.302(a), and Section 254.132(a) of the Illinois EPA Air Pollution Regulations, 35 Ill. Adm. Code 254.132(a);

D. Pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a) (2018), assessing against the Respondent a civil penalty of \$50,000.00 for each violation of the Act and Board regulations, and an additional civil penalty of \$10,000.00 for each day the violations continued;

E. Ordering the Respondent to pay all costs, including expert witness, consultant and attorney fees, expended by the State in pursuit of this action; and

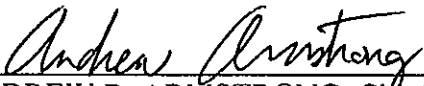


F. Ordering such other relief as the Board may deem appropriate and just.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,  
by KWAME RAOUL, Attorney General of  
the State of Illinois

MATTHEW J. DUNN, Chief  
Environmental Enforcement/Asbestos  
Litigation Division

BY:   
ANDREW B. ARMSTRONG, Chief  
Environmental Bureau  
Assistant Attorney General

Emma L. Hudspath  
Assistant Attorney General  
Attorney Id No. 6324083  
Illinois Attorney General  
500 South Second Street  
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ebs@atg.state.il.us

**BEFORE THE ILLINOIS POLLUTION BOARD**

**PEOPLE OF THE STATE OF ILLINOIS,** )  
**by KWAME RAOUL, Attorney General** )  
**of the State of Illinois,** )  
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**Complainant,** )  
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**v.** )  
) )  
**CLIFFORD-JACOBS FORGING COMPANY,** )  
**an Illinois corporation,** )  
) )  
**Respondent.** )

**PCB No. 2019-  
(Enforcement-Air)**

**STIPULATION AND PROPOSAL FOR SETTLEMENT**

Complainant, PEOPLE OF THE STATE OF ILLINOIS, by KWAME RAOUL, Attorney General of the State of Illinois, the Illinois Environmental Protection Agency ("Illinois EPA"), and CLIFFORD-JACOBS FORGING COMPANY, an Illinois corporation ("Respondent"), (collectively "Parties to the Stipulation"), have agreed to the making of this Stipulation and Proposal for Settlement ("Stipulation") and submit it to the Illinois Pollution Control Board ("Board") for approval. This stipulation of facts is made and agreed upon for purposes of settlement only and as a factual basis for the Board's approval of this Stipulation and issuance of relief. None of the facts stipulated herein shall be introduced into evidence in any other proceeding except as otherwise provided herein. It is the intent of the Parties to the Stipulation that it be a final adjudication of this matter.

**I. STATEMENT OF FACTS**

**A. Parties**

1. On \_\_\_\_\_, a Complaint was filed on behalf of the People of the State of Illinois by Kwame Raoul, Attorney General of the State of Illinois, on his own motion

and upon the request of the Illinois EPA, pursuant to Section 31 of the Act, 415 ILCS 5/31 (2016), against the Respondent.

2. The Illinois EPA is an administrative agency of the State of Illinois, created pursuant to Section 4 of the Act, 415 ILCS 5/4 (2016).

3. At all times relevant to the Complaint, Respondent was and is an Illinois corporation that is authorized to transact business in the State of Illinois.

4. At all times relevant to the Complaint, Respondent owned and operated a metal forging, shaping, and heat treating facility located at 2410 North 5<sup>th</sup> Street, Champaign, Champaign County, Illinois ("Site").

5. On December 18, 2012, Clifford-Jacobs was issued an operating permit for air emission units at the Site.

6. The Annual Emissions Report for the Site for 2017 was due May 1, 2018 but was not submitted until January 31, 2019.

**B. Allegations of Non-Compliance**

Complainant contends that the Respondent has violated the following provisions of the Act and Board regulations:

Count I: Failure to Submit Annual Emissions Report

415 ILCS 5/9(a) (2016)  
35 Ill. Adm. Code 201.302(a)  
35 Ill. Adm. Code 254.132(a)

**C. Non-Admission of Violations**

The Defendant represents that it has entered into this Consent Order for the purpose of settling and compromising disputed claims without having to incur the expense of contested litigation. By entering into this Consent Order and complying with its terms, the Defendant does

not affirmatively admit the allegations of violation within the Complaint and referenced above, and this Consent Order shall not be interpreted as including such admission.

**D. Compliance Activities**

Upon management of the Respondent discovering that the Annual Emissions Report for 2017 had not been submitted on or before May 1, 2018, it took the following actions:

1. Removed the employee responsible for the submission of Annual Emissions Reports from his position;
2. Revised its internal oversight structures to ensure that compliance issues, including notices from the Illinois EPA, are directed to the attention of upper level management reporting directly to the General Manager of the Site;
3. Engaged and expanded the role of its environmental consultant, Foth Infrastructure & Environment, LLC, to provide professional assistance on environmental compliance issues; and
4. Immediately submitted the Annual Emissions Report for 2017 at issue, and shortly thereafter timely submitted its Annual Emissions Report for 2018.

**II. APPLICABILITY**

This Stipulation shall apply to and be binding upon the Parties to the Stipulation. Respondent shall not raise as a defense to any enforcement action taken pursuant to this Stipulation the failure of any of its officers, directors, agents, employees or successors or assigns to take such action as shall be required to comply with the provisions of this Stipulation. This Stipulation may be used against Respondent in any subsequent enforcement action or permit proceeding as proof of a past adjudication of violation of the Act and the Board Regulations for

all violations alleged in the Complaint in this matter, for purposes of Sections 39 and 42 of the Act, 415 ILCS 5/39 and 42 (2016).

**III. IMPACT ON THE PUBLIC RESULTING FROM ALLEGED NON-COMPLIANCE**

Section 33(c) of the Act, 415 ILCS 5/33(c) (2016), provides as follows:

In making its orders and determinations, the Board shall take into consideration all the facts and circumstances bearing upon the reasonableness of the emissions, discharges, or deposits involved including, but not limited to:

1. the character and degree of injury to, or interference with the protection of the health, general welfare and physical property of the people;
2. the social and economic value of the pollution source;
3. the suitability or unsuitability of the pollution source to the area in which it is located including the question of priority of location in the area involved;
4. the technical practicability and economic reasonableness of reducing or eliminating the emissions, discharges or deposits resulting from such pollution source; and
5. any subsequent compliance.

In response to these factors, the Parties to the Stipulation state the following:

1. Respondent submitted its Annual Emissions Report for calendar year 2017 approximately 276 days late. The requirement of submitting timely Annual Emissions Reports is of significant importance to Illinois EPA's air program.
2. There is social and economic benefit in the operation of Respondent's metal forging, shaping, and heat treating facility.
3. Respondent's metal forging, shaping, and heat treating facility was suitable for the area in which it was being operated.
4. Submitting Annual Emissions Reports in a timely manner was both technically practicable and economically reasonable.

5. Respondent has subsequently resolved the allegations in the Complaint, and taken affirmative actions to prevent future noncompliance.

**IV. CONSIDERATION OF SECTION 42(h) FACTORS**

Section 42(h) of the Act, 415 ILCS 5/42(h) (2016), provides as follows:

In determining the appropriate civil penalty to be imposed under . . . this Section, the Board is authorized to consider any matters of record in mitigation or aggravation of penalty, including but not limited to the following factors:

1. the duration and gravity of the violation;
2. the presence or absence of due diligence on the part of the respondent in attempting to comply with the requirements of this Act and regulations thereunder or to secure relief therefrom as provided by this Act;
3. any economic benefits accrued by the respondent because of delay in compliance with requirements of this Act and regulations thereunder or to secure relief therefrom as provided by this Act;
4. the amount of monetary penalty which will serve to deter further violations by the respondent and to otherwise aid in enhancing voluntary compliance with this Act by the respondent and other persons similarly subject to the Act;
5. the number, proximity in time, and gravity of previously adjudicated violations of this Act by the respondent;
6. whether the respondent voluntarily self-disclosed, in accordance with subsection 1 of this Section, the non-compliance to the Agency;
7. whether the respondent has agreed to undertake a "supplemental environmental project," which means an environmentally beneficial project that a respondent agrees to undertake in settlement of an enforcement action brought under this Act, but which the respondent is not otherwise legally required to perform; and
8. whether the respondent has successfully completed a Compliance Commitment Agreement under subsection (a) of Section 31 of this Act to remedy the violations that are the subject of the complaint.

In response to these factors, the Parties to the Stipulation state as follows:

1. Respondent submitted its Annual Emissions Report for calendar year 2017 approximately 276 days late. The requirement of submitting timely Annual Emissions Reports is of significant importance to Illinois EPA's air program.

2. Respondent received a Violation Notice from Illinois EPA and a Notice of Intent to Pursue Legal Action from Illinois EPA prior to submitting the Annual Emissions Report for calendar year 2017.

3. No calculable economic benefit has been derived from the failure to timely submit the Annual Emissions Report for calendar year 2017.

4. Complainant has determined, based upon the specific facts of this matter, that a penalty of Five Thousand Dollars (\$5,000.00) will serve to deter further violations and aid in future voluntary compliance with the Act and Board regulations.

5. To Complainant's knowledge, Respondent has no previously adjudicated violations of the Act.

6. Self-disclosure is not at issue in this matter.

7. The settlement of this matter does not include a supplemental environmental project.

8. A Compliance Commitment Agreement was not at issue in this matter.

#### V. TERMS OF SETTLEMENT

##### A. **Penalty Payment**

1. Respondent shall pay a civil penalty in the sum of Five Thousand Dollars (\$5,000.00) within thirty (30) calendar days from the date the Board adopts and accepts this Stipulation.

**B. Interest and Default**

1. If Respondent fails to make any payment required by this Stipulation on or before the date upon which the payment is due, Respondent shall be in default and the remaining unpaid balance of the penalty, plus any accrued interest, shall be due and owing immediately. In the event of default, Complainant shall be entitled to reasonable costs of collection, including reasonable attorney's fees.

2. Pursuant to Section 42(g) of the Act, interest shall accrue on any penalty amount owed by Respondent not paid within the time prescribed herein. Interest on unpaid penalties shall begin to accrue from the date such are due and continue to accrue to the date full payment is received. Where partial payment is made on any penalty amount that is due, such partial payment shall be first applied to any interest on unpaid penalties then owing.

**C. Payment Procedures**

1. All payments required by this Stipulation shall be made by certified check or money order payable to Illinois EPA for deposit into the Environmental Protection Trust Fund ("EPTF"). Payments shall be sent by first class mail and delivered to:

Illinois Environmental Protection Agency  
Fiscal Services  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276

2. The name and case number shall appear on the face of the certified check or money order.



3. A copy of the certified check or money order and any transmittal letter shall be sent to:

Emma L. Hudspath  
Assistant Attorney General  
Environmental Bureau  
Illinois Attorney General's Office  
500 South Second Street  
Springfield, Illinois 62706

**D. Future Compliance**

1. This Stipulation in no way affects the responsibilities of Respondent to comply with any other federal, state or local laws or regulations, including but not limited to the Act and the Board Regulations.

2. Respondent shall cease and desist from future violations of the Act and Board Regulations that were the subject matter of the Complaint.

**E. Release from Liability**

In consideration of Respondent's payment of the \$5,000.00 penalty, its commitment to cease and desist as contained in Section V.D.2 above, and upon the Board's approval of this Stipulation, Complainant releases, waives and discharges Respondent from any further liability or penalties for the violations of the Act and Board Regulations that were the subject matter of the Complaint herein. The release set forth above does not extend to any matters other than those expressly specified in Complainant's Complaint filed on \_\_\_\_\_. Complainant reserves, and this Stipulation is without prejudice to, all rights of the State of Illinois against Respondent with respect to all other matters, including but not limited to, the following:

- a. criminal liability;
- b. liability for future violation of state, federal, local, and common laws and/or regulations;

- c. liability for natural resources damage arising out of the alleged violations; and
- d. liability or claims based on the Respondent's failure to satisfy the requirements of this Stipulation.

Nothing in this Stipulation is intended as a waiver, discharge, release, or covenant not to sue for any claim or cause of action, administrative or judicial, civil or criminal, past or future, in law or in equity, which the State of Illinois may have against any person, as defined by Section 3.315 of the Act, 415 ILCS 5/3.315, or entity other than the Respondent.

**F. Enforcement**

Upon the entry of the Board's Order approving and accepting this Stipulation, that Order is a binding and enforceable order of the Board and may be enforced as such through any and all available means.

**G. Execution of Stipulation**

The undersigned representatives for the Parties to the Stipulation certify that they are fully authorized by the party whom they represent to enter into the terms and conditions of this Stipulation and to legally bind them to it.



WHEREFORE, the Parties to the Stipulation request that the Board adopt and accept the foregoing Stipulation and Proposal for Settlement as written.

PEOPLE OF THE STATE OF ILLINOIS,  
KWAME RAOUL  
Attorney General  
of the State of Illinois

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

MATTHEW J. DUNN, Chief  
Environmental Enforcement/  
Asbestos Litigation Division

JOHN J. KIM, Director  
Illinois Environmental Protection Agency

BY: Andrew Armstrong  
ANDREW ARMSTRONG, Chief  
Environmental Bureau  
Assistant Attorney General

BY: Dana Vetterhoffer  
DANA VETTERHOFFER  
Acting Chief Legal Counsel

DATE: 09/06/2019

DATE: 9-3-19

CLIFFORD-JACOBS FORGING COMPANY

BY: Jason M. Ray  
JASON M. RAY, General Manager

DATE: 8/19/19



**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

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 CLIFFORD-JACOBS FORGING COMPANY, )  
 an Illinois corporation, )  
 )  
 Respondent. )

PCB No. 2020-  
(Enforcement - Air)

**MOTION FOR RELIEF FROM HEARING**

NOW COMES Complainant, People of the State of Illinois, by KWAME RAOUL, Attorney General of the State of Illinois, and requests relief from the requirement of a hearing in this matter. In support thereof, Complainant states as follows:

1. Simultaneously with the filing of this motion, Complainant is filing the initial Complaint in this matter as well as a Stipulation and Proposal for Settlement executed between Complainant and Respondent, Clifford-Jacobs Forging Company.

2. Section 31(c)(2) of the Act, 415 ILCS 5/31(c)(2) (2018), provides as follows:

(c)(2) Notwithstanding the provisions of subdivision (1) of this subsection (c), whenever a complaint has been filed on behalf of the Agency or by the People of the State of Illinois, the parties may file with the Board a stipulation and proposal for settlement accompanied by a request for relief from the requirement of a hearing pursuant to subdivision (1). Unless the Board, in its discretion, concludes that a hearing will be held, the Board shall cause notice of the stipulation, proposal and request for relief to be published and sent in the same manner as is required for hearing pursuant to subdivision (1) of this subsection. The notice shall include a statement that any person may file a written demand for hearing within 21 days after receiving the notice. If any person files a timely written demand for hearing, the Board shall deny the

request for relief from a hearing and shall hold a hearing in accordance with the provisions of subdivision (1).

3. No hearing is scheduled in this matter.

4. Complainant hereby requests relief from the requirement of a hearing pursuant to

Section 31(c)(2) of the Act, 415 ILCS 5/31(c)(2) (2018).

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,  
by KWAME RAOUL, Attorney General of  
the State of Illinois

MATTHEW J. DUNN, Chief  
Environmental Enforcement/Asbestos  
Litigation Division

BY: /s/ Emma L. Hudspath  
EMMA L. HUDSPATH  
Assistant Attorney General  
500 South Second Street  
Springfield, Illinois 62706  
(217) 782-9031  
ehudspath@atg.state.il.us  
ebs@atg.state.il.us

Dated: September 10, 2019

**CERTIFICATE OF SERVICE**

I, Emma L. Hudspath, an Assistant Attorney General, certify that on the 10th day of September, 2019, I caused to be served via certified mail, return receipt requested, a copy of the foregoing Notice of Filing, Complaint, Stipulation and Proposal for Settlement and Motion for Relief from Hearing Requirements to the following:

Clifford-Jacobs Forging Company  
c/o James Hacking, Registered Agent  
2410 North 5th Street  
P.O. Box 830  
Champaign, IL 61824-0830

s/Emma L. Hudspath  
Emma L. Hudspath  
Assistant Attorney General  
500 South Second Street  
Springfield, IL 62701  
217/782-9031  
ehudspath@atg.state.il.us  
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