

ILLINOIS POLLUTION CONTROL BOARD
June 18, 2020

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
)	
Complainant,)	
)	PCB 20-88
v.)	(Enforcement – Air)
)	
H.B. FULLER COMPANY,)	
a Minnesota corporation, d/b/a)	
Adhesive Systems Inc.,)	
)	
Respondent.)	
)	

ORDER OF THE BOARD (by B.K. Carter):

On June 2, 2020, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a two-count complaint against H.B. Fuller Company (Fuller). The complaint concerns Fuller’s cyanoacrylate plant located at 9411 Corsair, Frankfort, Will County (“Corsair Facility”) and its adhesives and sealants manufacturing operation facility located at 9001 West Fey Drive, Frankfort, Will County (“Fey Facility”). The parties now seek to settle without a hearing. 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 (2018)), 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 (2018); 35 Ill. Adm. Code 103.

In this case, the People allege that Fuller violated Section 9(a) of the Act, 415 ILCS 5/9(a) (2018), Section 201.302(a) of the Board Air Pollution Regulations, 35 Ill. Adm. Code 201.302(a), and Sections 254.132(a) and 254.137(a) of the Illinois EPA Air Pollution Regulations, 35 Ill. Adm. Code 254.132(a) and 254.137(a) by failing to timely submit a complete and accurate annual emissions report for the Corsair Facility for calendar year 2018 and by failing to timely submit a complete and accurate annual emissions report for the Fey Facility for calendar year 2018.

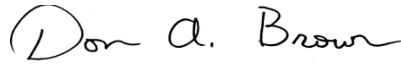
On June 2, 2020, the People and Fuller filed a stipulation and proposed settlement, accompanied by a request for relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (2018)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2018)), which 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, Fuller admits the alleged violations and agrees to pay a civil penalty of \$10,000.00.

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) (2018); 35 Ill. Adm. Code 103.300(b), (c). The Board directs the Clerk to provide the required notice.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on June 18, 2020, by a vote of 4-0.

A handwritten signature in cursive script that reads "Don A. Brown". The signature is written in black ink and is positioned above a horizontal line.

Don A. Brown, Clerk
Illinois Pollution Control Board