



Failing to demonstrate that it was maintaining the thermal oxidizer combustion temperature required by Condition 8(c) of FESOP No. 07110044 in violation of Condition 8(c) of FESOP No. 07110044;

Failing to determine the volatile organic material (VOM) composite partial vapor pressure of cleaning solvents, cleaning solvent concentrates, and as-used cleaning solutions in violation of Condition 13(b) of FESOP No. 07110044;

Failing to maintain records of the names and amounts of lithographic inks, fountain solutions, other materials and clean-up solvents used in tons/month and tons/year in violation of Condition 17(a)(iv) of FESOP No. 07110044;

Failing to calculate VOM and hazardous air pollutant emissions from the printing lines as required by Condition 9(c) of FESOP No. 07110044 in violation of Condition 9(c) of FESOP No. 07110044;

Failing to submit deviation reports to the Illinois EPA for deviations from the requirements of FESOP No. 07110044 in violation of Condition 20(a) of FESOP No. 07110044;

Utilizing an ink that contained greater than 40.0% by weight VOM content, utilizing a blanket wash with a VOM content greater than 75.0% by weight, and exceeding the monthly and annual glue usage requirements contained in Condition 9(a)(i) of FESOP No. 07110044 in violation of Condition 9(a)(i) of FESOP No. 07110044; and

Utilizing a cleaning solution that had a vapor pressure greater than 10mmHg at 20°C (68°F) in violation of Condition 8(e) of FESOP No. 07110044; thereby violating Section 9(b) of the Act, 415 ILCS 5/9(b) (2018).

**COUNT IV:** Failing to keep a record of its applicability determination that showed that the Facility is not subject to the National Emission Standards for Hazardous Air Pollutants (NESHAP): Paper and Other Web Coating in violation of Section 63.10(b)(3) of Subpart A of the NESHAP, 40 C.F.R. § 63.10(b)(3), and thereby also in violation of Section 9.1(d) of the Act, 415 ILCS 5/9.1(d) (2018).

On June 30, 2020, the People and Master Graphics 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). The Board provided notice of the stipulation, proposed settlement, and request for relief. The newspaper notice was published in the *Ogle*

*County Life* of Rochelle on July 27, 2000. The Board did not receive any requests for hearing. The Board grants the parties' request for relief from the hearing requirement. *See* 415 ILCS 5/31(c)(2) (2018); 35 Ill. Adm. Code 103.300(b).

Section 103.302 of the Board's procedural rules sets forth the required contents of stipulations and proposed settlements. *See* 35 Ill. Adm. Code 103.302. These requirements include stipulating to facts on the nature, extent, and causes of the alleged violations and the nature of Master Graphics' operations. Section 103.302 also requires that the parties stipulate to facts called for by Section 33(c) of the Act (415 ILCS 5/33(c) (2018)), which bears on the reasonableness of the circumstances surrounding the alleged violations. Master Graphics does not admit the alleged violations. The stipulation also addresses the factors of Section 42(h) of the Act (415 ILCS 5/42(h) (2018)), which may mitigate or aggravate the civil penalty amount. Under the proposed settlement, Master Graphics agrees to pay a civil penalty of \$34,500 within 30 days after the date of this order. The People and Master Graphics have satisfied Section 103.302. The Board accepts the stipulation and proposed settlement.

This opinion constitutes the Board's findings of fact and conclusions of law.

### **ORDER**

1. The Board accepts and incorporates by reference the stipulation and proposed settlement.
2. Master Graphics must pay a civil penalty of \$34,500 no later than Monday, October 5, 2020, which is the first business day following the 30th day after the date of this order. Master Graphics must pay the civil penalty by certified check or money order payable to the Illinois Environmental Protection Agency for deposit into the Environmental Protection Trust Fund. The case name and case number must appear on the face of the certified check or money order.
3. Master Graphics must submit payment of the civil penalty to:

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

Master Graphics must send a copy of the certified check or money order and any transmittal letter to:

Daniel I. Rottenberg, Assistant Attorney General  
Environmental Bureau  
Illinois Attorney General's Office  
69 W. Washington Street, Suite 1800  
Chicago, Illinois 60602

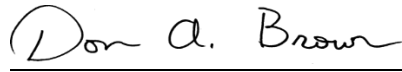
4. Penalties unpaid within the time prescribed will accrue interest under Section 42(g) of the Environmental Protection Act (415 ILCS 5/42(g) (2018)) at the rate set forth in Section 1003(a) of the Illinois Income Tax Act (35 ILCS 5/1003(a) (2018)).
5. Master Graphics must cease and desist from future violations of the Environmental Protection Act and Board regulations that were the subject of the complaint.

IT IS SO ORDERED.

Section 41(a) of the Environmental Protection Act provides that final Board orders may be appealed directly to the Illinois Appellate Court within 35 days after the Board serves the order. 415 ILCS 5/41(a) (2018); *see also* 35 Ill. Adm. Code 101.300(d)(2), 101.906, 102.706. Illinois Supreme Court Rule 335 establishes filing requirements that apply when the Illinois Appellate Court, by statute, directly reviews administrative orders. 172 Ill. 2d R. 335. The Board's procedural rules provide that motions for the Board to reconsider or modify its final orders may be filed with the Board within 35 days after the order is received. 35 Ill. Adm. Code 101.520; *see also* 35 Ill. Adm. Code 101.902, 102.700, 102.702. Filing a motion asking that the Board reconsider this final order is not a prerequisite to appealing the order. 35 Ill. Adm. Code 101.902.

<b>Names and Addresses for Receiving Service of Any Petition for Review Filed with the Appellate Court</b>	
<b>Parties</b>	<b>Board</b>
Office of the Attorney General Attn: Daniel I. Rottenberg, Assistant Attorney General Environmental Bureau Illinois Attorney General's Office 69 W. Washington Street, Suite 1800 Chicago, Illinois 60602 drotenberg@atg.state.il.us	Illinois Pollution Control Board Attn: Don A. Brown, Clerk James R. Thompson Center 100 West Randolph Street, Suite 11-500 Chicago, Illinois 60601 don.brown@illinois.gov
Master Graphics, LLC Attn: Charles M. Gering Pedersen & Houpt 161 North Clark Street, Suite 2700 Chicago, Illinois 60601 cgering@pedersenhaupt.com	

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above opinion and order on August 27, 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