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February 17, 2012

ATTORNEY GENERAL MADIGAN, BOONE COUNTY STATE'S ATTORNEY ANNOUNCE SETTLEMENT WITH NDK CRYSTAL

Chicago — A settlement announced today by Attorney General Lisa Madigan and Boone County State's Attorney Michelle Courier with NDK Crystal requires that its damaged manufacturing plant remain closed until the facility is certified by state regulators as safe for operation following the 2009 explosion at the facility near Belvidere.

Federal safety authorities continue their investigation into what caused the blast in one of the plant's eight autoclaves used to manufacture quartz crystals. In the Dec. 7, 2009 explosion, quartz particles and other debris blew across Interstate 90 and killed a motorist who was struck by the flying debris at a nearby tollway oasis. Soil and water sampling reports taken after the explosion and provided to the Illinois Environmental Protection Agency (IEPA) did not show contamination above applicable standards.

"This plan puts public safety at the forefront, with rigorous protections in place to ensure this facility is in proper working order before it goes back online," Madigan said.

Under terms of the settlement filed today in Boone County Circuit Court, NDK cannot resume operations until the Illinois Office of State Fire Marshal inspects and certifies all machinery used at the site for manufacturing synthetic crystals. NDK also must submit a copy of the U.S. Chemical Safety Board's final report to Madigan's office within 30 days of its receipt. In addition, NDK must pay a \$39,000 civil penalty for deposit in the Environmental Protection Trust Fund and \$5,000 in reimbursement to both Boone County and IEPA's Hazardous Waste Fund.

"The explosion in 2009 led to the death of an innocent bystander and the release of crystalline material. We needed to take the necessary actions to protect the public. The consent order gives us that remedy," State's Attorney Courier said.

Assistant Attorney General Andrew Nicholas is handling the case for Madigan's Environmental Bureau.

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