

ILLINOIS POLLUTION CONTROL BOARD
June 20, 1996

MONTGOMERY COUNTY,)	
)	
Complainant,)	
)	
v.)	AC 96-46
)	(Administrative Citation)
)	
ENVOTECH-ILLINOIS, INC.)	
(Litchfield-Hillsboro Landfill),)	
)	
Respondent.)	

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

This matter comes before the Board upon the April 29, 1996 filing of an administrative citation pursuant to Section 31.1 of the Environmental Protection Act (Act) by the County of Montgomery (County). A copy of that administrative citation is attached hereto, but will not be printed in the Board's opinion volumes. Service of the administrative citation was made upon Envotech-Illinois, Inc. (Envotech) on April 24, 1996. The Agency alleges that on February 29, 1996 Envotech, present owner and/or operator of a facility located in Montgomery County and commonly known to the County as Litchfield-Hillsboro Landfill/ Envotech Landfill, violated Section 21(o)(5) of the Act. The statutory penalty established for this violation is \$500.00 pursuant to Section 42(b)(4) of the Act.

Envotech has not filed a petition for review with the Clerk of the Board within 35 days of the date of service as allowed by Section 31.1(d)(2) of the Act. Therefore, pursuant to Section 31.1(d)(1), the Board finds Envotech has violated the provisions alleged in the administrative citation. Since there is one (1) such violation, the total penalty to be imposed is set at \$500.00.

1. It is hereby ordered that, unless the penalty has already been paid, within 30 days of the date of this order, Envotech shall, by certified check or money order payable to the Montgomery County Treasurer, pay a penalty in the amount of \$500.00, which is to be sent to:

Mrs. Amy Stewart, Director
Montgomery County Health Department
South Route 185
Hillsboro, Illinois 62049

2. Respondent shall include the remittance form and write the case name and number and its social security or federal employer identification number on the certified check or money order.

3. Penalties unpaid after the due date shall accrue interest pursuant to Section 42(g) of the Act.
4. Payment of this penalty does not prevent future prosecution if the violation continues.

IT IS SO ORDERED.

Section 41 of the Environmental Protection Act (415 ILCS 5/41 (1994)) provides for the appeal of final Board orders within 35 days of the date of service of this order. The Rules of the Supreme Court of Illinois establish filing requirements. (See also 35 Ill. Adm. Code 101.246 "Motions for Reconsideration.")

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the _____ day of _____, 1996, by a vote of _____.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board