

ILLINOIS POLLUTION CONTROL BOARD  
January 11, 1995

MONTGOMERY COUNTY, ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	AC 94-31
	)	AC 94-47
	)	(cons.)
	)	(Administrative Citation)
ENVOTECH-ILLINOIS, INC.	)	
	)	
Respondent.	)	

OPINION AND ORDER OF THE BOARD (by J. Theodore Meyer):

This matter is before the Board on an agreed order for settlement, filed by complainant Montgomery County (County) and respondent Envotech-Illinois, Inc. (Envotech) on October 19, 1994. The parties state that they have agreed to the entry of an order finding Envotech in violations of Section 21(o)(5) and (12) of the Environmental Protection Act (Act) (415 ILCS 5/21(o)(5) and (12) (1992)), and imposing a civil penalty of \$1000.00 for violations stated in AC 94-31 and \$500.00 for violations stated in AC 94-47. The Board construes the agreed order as Envotech's request to withdraw its petition for review.

Pursuant to the agreed order filed by the parties, the Board finds that on March 14 and March 30, 1994 Envotech caused or allowed litter at the facility known to the County as Envotech Illinois Landfill, Site Code No. 1358150007, located in Montgomery County, in violation of Section 21(o)(12) of the Act. In addition, on May 13, 1994, Envotech allowed uncovered refuse remaining from a previous day at the same site in violation of Section 21(o)(5) of the Act. The total penalty to be imposed is \$1500.00.

ORDER

1. It is hereby ordered that, unless the penalty has already been paid, Envotech shall, on or before February 20, 1995, pay a penalty of \$1500.00 by certified check or money order, payable to the Illinois Environmental Protection Trust Fund. The penalty shall be sent to:

Illinois Environmental Protection Agency  
Fiscal Service Division  
2200 Churchill Road, P.O. Box 19276  
Springfield, IL 62794-9276

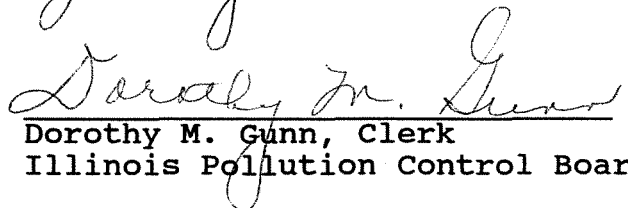
2. Envotech shall write the case name and number, and its social security number or federal Employer Identification Number, on the certified check or money order.

3. Penalties unpaid after the due date shall accrue interest pursuant to Section 42(g) of the Environmental Protection 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 (1992)) 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 opinion and order was adopted on the 11<sup>th</sup> day of January, 1995, by a vote of 6-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board