

ILLINOIS POLLUTION CONTROL BOARD
February 3, 1994

SANGAMON COUNTY,)
)
 Complainant,)
)
 v.) AC 93-6 (Docket B)
) (County No. SCDPH-93-AC-2)
 RUTH ANN SHEPPARD and) (Administrative Citation)
 STEVE SHEPPARD,)
)
 Respondent.)

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

This matter is before the Board on an administrative citation filed February 1, 1993 by Sangamon County pursuant to the Environmental Protection Act. (415 ILCS 5/31.1 (1992).) Respondents filed a petition for review with the Board on February 22, 1993, and a public hearing was held. On November 4, 1993, the Board issued an opinion and order finding the cited violation had occurred, and imposed a \$500 fine. The Board also directed the Clerk of the Board and Sangamon County to file affidavits of hearings costs.

On November 12, 1993, the Clerk of the Board filed an affidavit stating that the Board's hearing costs were \$1,088.35. On December 6, 1993, Sangamon County filed an affidavit of costs for \$170.00 (\$150.00 in attorneys fees and \$20.00 in witness fees). Therefore, the total hearing costs to be assessed against respondents are \$1108.35. (Sangamon County Department of Public Health v. Lee Hsueh, (October 21, 1993) AC 92-79, Docket B.)

This opinion constitutes the Board's findings of facts and conclusions of law in this matter.

ORDER

1. It is hereby ordered that within 30 days of the date of this order, respondents shall, by certified check or money order payable to the State of Illinois, designated for deposit to the Illinois Environmental Protection Trust Fund, pay as compensation for hearing costs incurred by the Board the amount of \$1088.35, which is to be sent by first class mail to:

Illinois Environmental Protection Agency
Fiscal Services Division
2200 Churchill Road
P.O. Box 19276

Springfield, IL 62794-9276

2. It is hereby ordered that within 30 days of the date of this order, respondents shall, by certified check or money order payable to the County of Sangamon, pay as compensation for hearing costs incurred by the County of Sangamon, the amount of twenty dollars (\$20.00) which is to be sent by first class mail to:

James D. Stone, Director
Sangamon County Department of Public Health
200 South Ninth, Room 301
Springfield, IL 62701

3. Respondent shall write the case name and number and social security or federal Employer Identification Number on the certified check or money order.

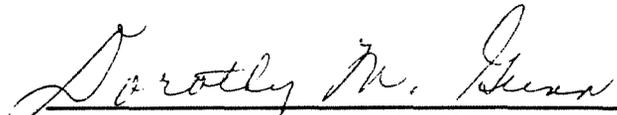
Penalties unpaid after the due date shall accrue interest pursuant to Section 42(g) of the Environmental Protection Act.

4. This docket is hereby closed.

IT IS SO ORDERED.

Section 41 of the Environmental Protection Act (415 ILCS 5/41) provides for the appeal of final Board orders within 35 days. 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 3rd day of February, 1994, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board