

ILLINOIS POLLUTION CONTROL BOARD
January 20, 2000

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 99-109
) (Enforcement - Air)
DONALD and ROBERT HASTIE)
d/b/a HASTIE TRUCKING AND)
MINING COMPANY,)
)
Respondents.)

ORDER OF THE BOARD (by E.Z. Kezelis):

On January 6, 2000, the Board accepted a stipulation and proposal for settlement. In the Board's order of that date, the respondents were directed to pay a \$6,000 penalty within 30 days of the date of the order. Because the parties actually stipulated to a 60 day period for payment of the penalty, they have requested that the Board amend its earlier order to so reflect the longer period of time. Accordingly, a revised order follows.

ORDER

1. The Board hereby accepts the stipulation and proposal for settlement executed by the People of the State of Illinois and Donald and Robert Hastie d/b/a Hastie Trucking and Mining Company, regarding a facility located in Hardin County, Illinois. The stipulation and proposal for settlement is incorporated by reference as if fully set forth herein.
2. Respondents shall pay the sum of \$6,000 within 60 days of January 6, 2000. Such payment shall be made by certified check or money order payable to the Treasurer of the State of Illinois, designated to the Environmental Protection Trust Fund. The case number, case name, and respondents' federal employer identification number (37-0906669) shall also be included on the check or money order.
3. The check or money order shall be sent by first class mail to:

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

A copy of the payment transmittal and check shall be simultaneously submitted to:

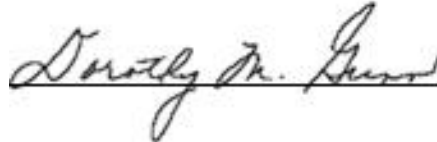
Office of the Attorney General
Environmental Bureau
500 South Second Street
Springfield, Illinois 62706

4. Any such penalty not paid within the time prescribed shall incur interest at the rate set forth in subsection (a) of Section 1003 of the Illinois Income Tax Act (35 ILCS 5/1003(a) (1998)), as now or hereafter amended, from the date payment is due until the date payment is received. Interest shall not accrue during the pendency of an appeal during which payment of the penalty has been stayed.
5. Respondents shall cease and desist from the alleged violations.

IT IS SO ORDERED.

Section 41 of the Environmental Protection Act (415 ILCS 5/41 (1998)) provides for the appeal of final Board orders to the Illinois Appellate Court within 35 days of the date of service of this order. Illinois Supreme Court Rule 335 establishes such filing requirements. See 172 Ill. 2d R. 335; see also 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 20th day of January 2000 by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board