

ILLINOIS POLLUTION CONTROL BOARD  
July 22, 1993

|                               |   |                           |
|-------------------------------|---|---------------------------|
| ST. CLAIR COUNTY,             | ) |                           |
|                               | ) |                           |
| Complainant,                  | ) |                           |
|                               | ) |                           |
| v.                            | ) | AC 92-33                  |
|                               | ) | Docket B                  |
| JAMES ALEXANDER, PRESIDENT    | ) | (Administrative Citation) |
| OF ALEXANDER DEVELOPMENT CO., | ) |                           |
| INC.,                         | ) |                           |
|                               | ) |                           |
| Respondent.                   | ) |                           |

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

This matter is before the Board on an administrative citation (AC) filed by St. Clair County pursuant to the Environmental Protection Act. (415 ILCS 5/1 et seq. (1992).) The citation was filed on May 4, 1992, and alleges that respondent, James Alexander violated Section 21(p)(1) of the Act by causing or allowing open dumping of waste resulting in litter, and Section 21(p)(3) by causing or allowing open dumping of waste resulting in open burning.

Respondent filed a petition for review with the Board on May 20, 1992. A hearing was held on July 31, 1992, in St. Clair County Building, Belleville, Illinois, at which no members of the public were present. On February 25, 1993, the Board issued an order finding that the cited violations had occurred and imposing a one thousand five hundred dollar (\$1,500) fine. The Board also directed the County to file an affidavit declaring its hearing costs.

On March 24, 1993, the Clerk of the Board filed an affidavit stating that the Board's hearing costs were five hundred fifty eight dollars and ninety nine cents (\$558.99). The County has not filed an affidavit. Therefore, the total hearing costs to be assessed against respondent are five hundred fifty eight dollars and ninety nine cents (\$558.99).

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, respondent shall, by certified check or money order payable to the State of Illinois, designated for deposit to the General Revenue Fund, pay

as compensation for hearing costs incurred by the Board the amount of five hundred fifty eight dollars and ninety nine cents (\$558.99) which is to be sent by First Class mail to:

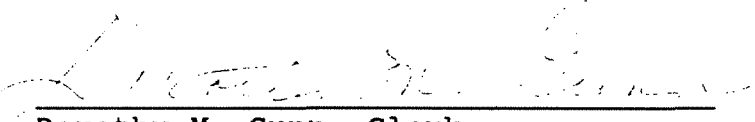
Illinois Environmental Protection Agency  
Fiscal Services Division  
2200 Churchill Road  
P.O. Box 19276  
Springfield, IL 62794-9276

2. 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 13<sup>th</sup> day of July, 1993, by a vote of 7-6.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board