

ILLINOIS POLLUTION CONTROL BOARD  
March 25, 1993

ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Complainant,	)	
	)	
v.	)	AC 92-51 (Docket B)
	)	(IEPA No. 322-92-AC)
JOHN McCULLUM AND	)	(Administrative Citation)
NINA McCULLUM,	)	
	)	
Respondents.	)	

OPINION AND ORDER OF THE BOARD (by J. C. Marlin):

This matter is before the Board for assessment of hearing costs pursuant to Section 42(b) of the Environmental Protection Act (Act). (415 ILCS 5/42(b) (1992).)<sup>1</sup> On December 3, 1992, the Board found respondents in violation of Section 21(p)(1) of the Act and imposed a penalty of \$500.00. The Board also directed the Clerk of the Board and the Agency to file statements of costs within 30 days of the December 3, 1992 opinion and order.

On December 17, 1992, the Clerk of the Board filed a statement of costs totaling \$553.13. On December 15, 1992, the Agency filed a statement of costs in this matter totaling \$35.00. The respondents have not filed an objection or response to these filings.

The Board accordingly assesses a total of \$588.13 in hearing costs against the respondents.

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

ORDER

1) It is hereby ordered that within 30 days of the date of this order, John McCullum and Nina McCullum shall, by certified check or money order payable to the State of Illinois and designated for deposit in the General Revenue Fund, pay as compensation for hearing costs incurred by the Board and the Agency, the amount of \$588.13 which is to be sent to:

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<sup>1</sup>The Act was formerly codified at 1991, Ill.Rev.Stat. ch. 111 1/2, par. 1001 et. seq.

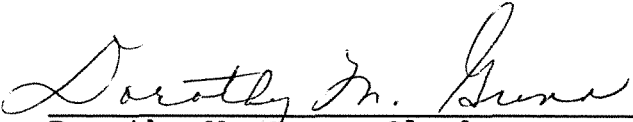
Illinois Environmental Protection Agency  
Fiscal Services Division  
2200 Churchill Road  
Springfield, IL 62706

2) This docket is hereby closed.

Section 41 of the Environmental Protection Act (Ill.Rev.Stat. 1991, Ch 111 1/2, par. 1041) provides for appeal of final orders of the Board within 35 days. The rules of the Supreme Court of Illinois establish filing requirements. (But see also 35 Ill. Adm. Code 101.246, Motions for Reconsideration, and Castenada v. Illinois Human Rights Commission (1989), 132 Ill. 2d 304, 547 N.E.2d 437 and Strube v. Illinois Pollution Control Board, No. 3-92-0468, slip op. at 4-5 (3d Dist. March 15, 1993).)

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above opinion and order was adopted on the 25<sup>th</sup> day of March, 1993, by a vote of 6-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board