

ILLINOIS POLLUTION CONTROL BOARD
May 21, 1992

COUNTY OF OGLE,)	
)	
Complainant,)	
)	
v.)	AC 92-29
)	(Case No. None)
RICHARD HAAN, JR.,)	(Administrative Citation)
)	
Respondent.)	

ORDER OF THE BOARD:

This matter comes before the Board upon an April 15, 1992 filing of an Administrative Citation pursuant to Section 31.1 of the Illinois Environmental Protection Act (Act) by the County of Ogle. A copy of that Administrative Citation is attached hereto, but will not be printed in the Board's Opinion Volumes. Service of the Administrative Citation was made upon Richard Haan on April 3, 1992. The County of Ogle alleges that on February 5, 1992, Richard Haan, present owner and/or operator of a facility located in Ogle County, violated Sections 21(p)(1) and 21(p)(3) of the Act. The statutory penalty established for each of these violations is \$500.00 pursuant to Section 42(b)(4) of the Act.

Richard Haan has not filed a Petition for Review with the Clerk of the Board within 35 days of the date of service as allowed by Section 31.1(d)(2) of the Act. Therefore, pursuant to Section 31.1(d)(1), the Board finds that Richard Haan has violated each and every provision alleged in the Administrative Citation. Since there are two (2) such violations, the total penalty to be imposed is set at \$1,000.00.

1. It is hereby ordered that, unless the penalty has already been paid, within 30 days of the date of this order Richard Haan shall, by certified check or money order payable to the Ogle County Treasurer, pay a penalty in the amount of \$1,000.00, which is to be sent to:

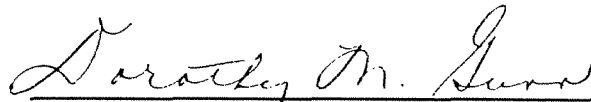
Ogle County Treasurer
Ogle County Courthouse
P.O. Box 40
Oregon, Illinois 61061

2. Respondent shall include the remittance form and write the case name and number and their social security 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 Illinois Environmental Protection Act.
4. Payment of this penalty does not prevent future prosecution if the violation continues.

Section 41 of the Environmental Protection Act, Ill. Rev. Stat. 1989, ch. 111-1/2, par. 1041, provides for appeal of final Order of the Board within 35 days. The Rules of the Supreme Court of Illinois establish filing requirements.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 21st day of May, 1992, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board