

ILLINOIS POLLUTION CONTROL BOARD
July 13, 2000

COUNTY OF OGLE,)
)
 Complainant,)
)
 v.) AC 00-83
) (Administrative Citation)
 JEFF ALLEN and STELLA ALLEN,)
)
 Respondents.)

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

On May 25, 2000, complainant properly and timely filed an administrative citation with the Board pursuant to Section 31.1 of the Environmental Protection Act (Act) (415 ILCS 5/31.1 (1998)), alleging that respondents violated Sections 21(p)(1), 21(p)(3), and 21(p)(7) of the Act (415 ILCS 5/21(p)(1), (p)(3), (p)(7) (1998), as amended by Pub. Act 91-72, eff. July 9, 1999). The statutory penalty established for each violation is \$1,500 pursuant to Section 42(b)(4) of the Act. 415 ILCS 42(b)(4) (1998), as amended by Pub. Act 91-82, eff. January 1, 2000.

In this matter, respondents have not filed a petition for review with the Clerk of the Board within 35 days of the date of service as required by Section 31.1(d)(1) of the Act. 415 ILCS 31.1(d)(1) (1998). Accordingly, the Board finds that respondents have violated the provisions alleged in the administrative citation, which is attached hereto. Since there are three such violations, the total penalty to be imposed is \$4,500.

It is hereby ordered that:

1. Respondents shall pay a civil penalty in the amount of \$4,500 within 30 days of the date of this order.
2. Payment shall be made in the form of a certified check or money order, payable to the Ogle County Solid Waste Fund. The case number, case name, and respondents' social security numbers or federal employer identification number should also be included on the check or money order.
3. The check or money order and the remittance form shall be sent to:

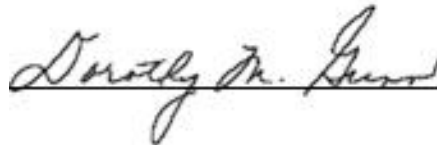
Ogle County Treasurer's Office
Ogle County Courthouse
Oregon, Illinois 61061
4. Penalties unpaid after 30 days of the date of this order shall accrue interest pursuant to Section 42(g) of the Act. 415 ILCS 5/42(g) (1998).

5. Payment of this penalty does not prevent future prosecution if the violations continue.

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 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 13th day of July 2000 by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board