

ILLINOIS POLLUTION CONTROL BOARD
June 17, 1993

COUNTY OF WILL,)
)
 Complainant,)
)
 v.) AC 93-16
) (County No. WC 93 AC 3)
 CDT LANDFILL,) (Administrative Citation)
)
 Respondent.)

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

This matter comes before the Board upon an May 3, 1993 filing of an Administrative Citation pursuant to Section 31.1 of the Illinois Environmental Protection Act (Act) by the County of Will. 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 CDT Landfill on May 3, 1993. The County of Will alleges that on April 13, 1993, CDT Landfill, present owner and/or operator of a facility located in Will County and commonly known to the Agency as CDT, violated Section 21(o)(9) of the Act. The statutory penalty established for this violation is \$500.00 pursuant to Section 42(b)(4) of the Act.

CDT Landfill has filed an Appearance and Reply with the Board. CDT Landfill neither admits nor denies the allegations but states that due to business and economic reasons, it has elected to pay the \$500.00 penalty assessed in this matter. CDT Landfill further states that it has already paid \$500.00 to the County of Will. CDT Landfill 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 CDT Landfill has violated the provision alleged in the Administrative Citation. Since there is one (1) such violation, the total penalty to be imposed is set at \$500.00.

1. It is hereby ordered that, unless the penalty has already been paid, within 30 days of the date of this order CDT Landfill shall, by certified check or money order payable to the County of Will, pay a penalty in the amount of \$500.00, which is to be sent to the attention of:

Kathy Sachtleben
Waste Services Analyst
Will County Land Use Department
Solid Waste Division
501 Ella Avenue
Joliet, Illinois 60433

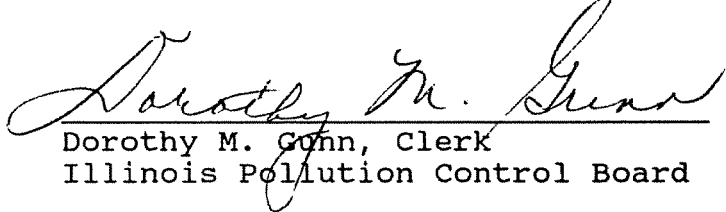
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2. Respondent shall include the remittance form and write the case name and number and their social security or federal Employer Identification Number on the certified check or money order.
3. Penalties unpaid after the due date shall accrue interest 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, (415 ILCS 5/41 (1992)), provides for appeal of final Orders of the Board within 35 days. The Rules of the Supreme Court of Illinois establish filing requirements. (See also 35 Ill. Adm. Code 101.246, Motion for Reconsideration.)

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 17th day of June, 1993, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board