

ILLINOIS POLLUTION CONTROL BOARD  
March 14, 1991

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Complainant, )  
 ) AC 90-95  
v. ) (IEPA Case No. 544-90-AC)  
 ) (Administrative Citation)  
JOHNSON BLACKWELL, )  
 )  
Respondent. )

ORDER OF THE BOARD BY (J. C. Marlin):

This matter comes before the Board on a February 19, 1991 motion to amend administrative citation and correct Board Order of January 24, 1991 filed by the Illinois Environmental Protection Agency (Agency). In support of its motion the Agency states that the inspection report incorrectly named Clinton County as the facility location instead of Marion County and that no material prejudice will occur if the administrative citation is amended. The Agency also states that the site code number is incorrect and should be amended.

Pursuant to 35 Ill. Adm. Code 101.301(a), the Board hereby grants the Agency's motion, vacates the Order of January 24, 1991, and corrects the Board Order as follows below.

This matter comes before the Board upon a December 3, 1990 filing of an Administrative Citation pursuant to Section 31.1 of the Illinois Environmental Protection Act (Act) by the Illinois Environmental Protection Agency (Agency). 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 Johnson Blackwell on December 1, 1990. The Agency alleges that on October 3, 1990, Johnson Blackwell, present owner and/or operator of a facility located in Marion County and commonly known to the Agency as Centralia/Blackwell #2, violated Section 21(q)(1) of the Act. The statutory penalty established for this violation is \$500.00 pursuant to Section 42(b)(4) of the Act.

Johnson Blackwell 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 Johnson Blackwell 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.

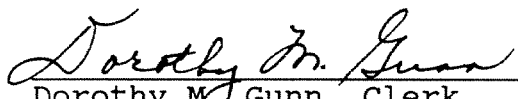
It is hereby ordered that, unless the penalty has already been paid, within 30 days of the date of this Order Johnson Blackwell

shall, by certified check or money order payable to the State of Illinois and designated for deposit into the Environmental Protection Trust Fund, pay a penalty in the amount of \$500.00 which is to be sent to:

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

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 14<sup>th</sup> day of March, 1991, by a vote of 7-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board