

ILLINOIS POLLUTION CONTROL BOARD  
July 19, 1990

ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Complainant,	)	
	)	
v.	)	AC 90-56
	)	IEPA No.295-AC-90
	)	(Administrative Citation)
STEVE GILBERT,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by J. D. Dumelle):

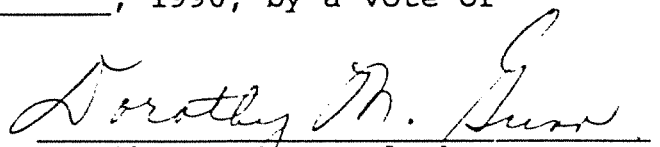
This matter is before the Board on its own motion. A letter was filed with the Board on July 16, 1990 by the respondent. The letter objected to the Illinois Environmental Protection Agency's (Agency) filing of an Administrative Citation when other options could be pursued. The Board is construing this letter as a Petition for Review pursuant to Section 31.1 of the Environmental Protection Act (Act).

When a petition for review is timely filed with the Board to contest an administrative citation, Section 31.1(d)(2) of the Act requires a hearing be held and a decision made based on the record of that hearing. The hearing is held pursuant to Section 32 of the Act. If, after a hearing, the respondent is found to be in violation of the Act, Section 42(b)(4) of the Act requires the Board to impose a penalty of \$500 for each violation plus any hearing costs incurred by the Board and the Agency.

This Board order is issued to notify the parties of the Board's action taken today. The Clerk is ordered to send copies of the Environmental Protection Act and the Board's Procedural Rules to the respondent. If the respondent wishes to withdraw the petition for review, such motion must be filed with the Board by August 13, 1990. If the petition for review is withdrawn, a default order will be issued and respondent will have to pay \$500 for each alleged violation only.

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 19<sup>th</sup> day of July, 1990, by a vote of 5-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board