

ILLINOIS POLLUTION CONTROL BOARD  
November 3, 1988

IN THE MATTER OF: )  
 )  
CHICAGO HEIGHTS REFUSE DEPOT, ) AC 87-47  
INC. ) (IEPA No. 8383-AC)  
Respondent. ) Docket B

OPINION AND ORDER OF THE BOARD (by M. Nardulli):

This matter comes before the Board upon a May 15, 1987 filing of an Administration Citation pursuant to Section 31.1 of the Illinois Environmental Protection Act (hereinafter "Act") by the Illinois Environmental Protection Agency (hereinafter "Agency"). The citation alleged that Chicago Heights Refuse Depot, Inc. violated Section 21(p)(5) of the Act on both March 24, 1987 and April 13, 1987. The civil penalty established for each of these violations is \$500.00 plus any hearing cost incurred by the Board and/or the Agency, pursuant to Section 42(b)(4) of the Act.

On a Petition for Review filed on behalf of Chicago Heights Refuse Depot, Inc., hearing was held on January 25, 1988. On September 22, 1988, the Board issued an Opinion and Order finding that the cited violations had occurred and imposed a penalty in the amount of \$1,000.00. The Board also directed the Clerk of the Board and the Agency to file an affidavit stating their hearing costs.

The Agency filed an affidavit on October 18, 1988 establishing their hearing cost at \$124.06. The Clerk of the Board filed an affidavit on October 4, 1988 declaring hearing cost of \$368.10. Therefore, the total hearing costs to be assessed against the Petitioner are \$492.16.

It is hereby ordered that within 30 days of the date of this Order, Chicago Heights Refuse Depot, Inc. shall, by certified check of money order payable to the State of Illinois and designated for deposit into the General Revenue Fund, pay as compensation for hearing costs incurred by the Board and the Agency the amount of \$492.16, which is to be sent to:

Illinois Environmental Protection Agency  
Fiscal Service Division  
2200 Churchill Road  
Springfield, IL 67206

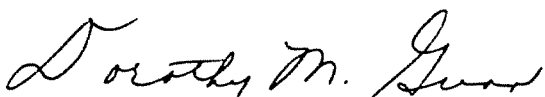
This docket is hereby closed.

Section 41 of the Environmental Protection Act, Ill. Rev. Stat. 1985 ch. 111<sup>1/2</sup> par. 1041, provides for appeal of Final Orders of the Board within 35 days. The Rules of Supreme Court of Illinois establish filing requirements.

J.T. Meyer dissented.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 3<sup>rd</sup> day of November, 1988 by vote of 5-1.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board