

ILLINOIS POLLUTION CONTROL BOARD  
April 30, 1987

IN THE MATTER OF: )  
 )  
TOWN OF ATKINSON, ILLINOIS ) AC 86-7  
a Municipal Corporation, ) IEPA Docket No. 8149-AC  
 )  
Respondent. )

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

On December 1, 1986, the Illinois Environmental Protection Agency (Agency) filed the administrative citation against the Town of Atkinson (Town) for violations of Sections 21(p)(5), 21(p)(1) and 21(p)(12) of the Environmental Protection Act. The citation sought a \$1,500.00 civil penalty. The Town filed a petition for review on January 5, 1987. On March 25, 1987, the Agency filed a motion for leave to file an amended citation, which motion was granted on April 1, 1987. The amended citation seeks a \$500.00 civil penalty for violation of Section 21(p)(12) of the Act.

On April 20, 1987, the Agency filed a statement with the Board that the civil penalty imposed had been paid in full on April 10, 1987, and that there was, therefore, no need for a hearing. The Board construes the Town's action as a motion for withdrawal of its petition for review. The Board accordingly dismisses the petition for review, and finds that the Town of Atkinson has violated the provision alleged in the Amended Administrative Citation. Since there is one such violation, the total penalty imposed is set at \$500.00. The Board has been informed that the penalty has been paid. If, however, the information filed with the Board is inaccurate, either party may timely move the Board for reconsideration of this Order.

It is hereby ordered that, unless the penalty has already been paid, within 30 days of the date of this Order the Town of Atkinson 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 30<sup>th</sup> day of April, 1987 by a vote of 6-0.

Dorothy M. Gunn  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board