

ILLINOIS POLLUTION CONTROL BOARD
April 15, 1999

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	
)	
v.)	AC 99-35
)	(IEPA No. 55-99-AC)
LIDLAW WASTE SYSTEMS, INC. and)	(Administrative Citation)
CARL BALL III,)	
)	
Respondents.)	

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

On February 26, 1999, complainant properly and timely filed an administrative citation with the Board pursuant to Section 31.1 of the Environmental Protection Act (Act) (415 ILCS 5/31.1 (1996)), alleging that respondents violated Sections 21(o)(1) and 21(o)(12) of the Act (415 ILCS 5/21(o)(1), 21(o)(12) (1996)). The statutory penalty established for each violation is \$500 pursuant to Section 42(b)(4) of the Act. 415 ILCS 5/42(b)(4) (1996).

On March 19, 1999, complainant filed a motion to dismiss Carl Ball III as a respondent in this administrative citation. Complainant asserts that it was unable to complete service upon Carl Ball III within 60 days of the date of the observed violation as required by Section 31.1(b) of the Environmental Protection Act (415 ILCS 5/31.1(b) (1996)). This motion is granted.

In this matter, Laidlaw Waste Services, Inc. (Laidlaw) has not filed a petition for review with the Clerk of the Board within 35 days of the date of service as required by Section 31.1(d)(1) of the Act. 415 ILCS 31.1(d)(1) (1996). Accordingly, the Board finds that Laidlaw has violated the provision alleged in the administrative citation, which is attached hereto. Since there are two such violations, the total penalty to be imposed is \$1,000.

It is hereby ordered that:

1. Laidlaw shall pay a civil penalty in the amount of \$1,000 within 30 days of the date of this order.
2. Payment shall be made in the form of a certified check or money order, payable to the Illinois Environmental Protection Trust Fund. The case number, case name, and Laidlaw's social security number or federal employer identification number should also be included on the check (or money order).
3. The check (or money order) and the remittance form shall be sent to:

Illinois Environmental Protection Agency

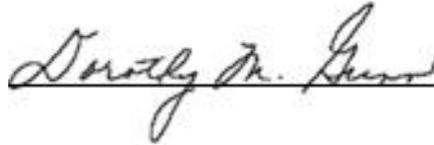
1021 North Grand Avenue East
P.O. Box 19276

4. Penalties unpaid after 30 days of the date of this order shall acc pursuant to Section 42(g) of the Act. 415 ILCS 5/42(g) (1996).
5. continues.

IT IS SO ORDERED.

the appeal of final Board orders to the Illinois Appellate Court within 35 days of the date of service of this order. Illinois Supreme Court Rule 335 establishes such filing requirements.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 15th day of April 1999 by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", is written over a horizontal line.

Illinois Pollution Control Board