

ILLINOIS POLLUTION CONTROL BOARD

November 18, 1999

COUNTY OF SANGAMON,)	
)	
Complainant,)	
)	
v.)	AC 00-28
)	(SCDPH 99-AC-15)
WILLIAM MAULDING and CAROLYN)	(Administrative Citation)
MAULDING,)	
)	
Respondents.)	

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

On October 18, 1999, pursuant to Section 31.1(b) of the Environmental Protection Act (Act) (415 ILCS 31.1(b) (1998)), the County of Sangamon (County) issued an administrative citation to William Maulding and Carolyn Maulding. The administrative citation alleges that the respondents violated Sections 21(p)(1), 21(p)(3), 21(p)(4), and 21(p)(7) of the Act (415 ILCS 5/21(p)(1), 21(p)(3), 21(p)(4), and 21(p)(7) (1998)). The alleged violations occurred at a facility located in Sangamon County, Illinois, commonly known to the County as Clearlake Township/Maulding.

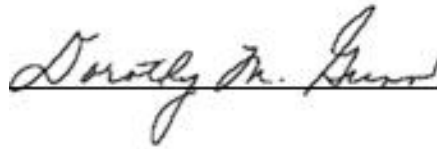
On November 12, 1999, respondents filed a petition for review of the administrative citation pursuant to Section 31.1(d). 415 ILCS 31.1(d) (1998). The Board accepts this matter for hearing. The Board reminds respondents that, after hearing, any person found to have violated the Act as alleged in the administrative citation is liable to pay a penalty under Section 42(b)(4) of the Act of \$500 per violation, as well as any hearing costs incurred by the Board or the complainant.¹ 415 ILCS 42(b)(4) (1998).

The Board directs that this matter proceed to hearing as expeditiously as practicable. The assigned hearing officer must set the matter for hearing in accordance with the requirements of the Act and the Board's procedural rules.

¹ The Board notes that, in the administrative citation, the County states that Section 42(b)(4) of the Act provides for a \$1,500 penalty for each offense. The County is correct that the section was recently amended by Public Act 91-82, signed July 9, 1999, to provide for a penalty increase from \$500 to \$1,500. However, that amendment does not become effective by its terms until January 1, 2000. The Board's order lists the correct current penalty amount of \$500 per violation. The Board will not require the County to amend any administrative citation which it has filed with the Board prior to the date of this order, as the Board will impose the correct penalty amount for which the respondents may be liable on the date the Board enters its final order. However, the County is advised to carefully review any administrative citation it may file prior to the effective date of Public Act 91-82.

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 18th day of November 1999 by a vote of 6-0.

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

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board