

ILLINOIS POLLUTION CONTROL BOARD
February 6, 1997

COUNTY OF LASALLE,)	
)	
Complainant,)	
)	
v.)	AC 97-46
)	(County No. None)
)	(Administrative Citation)
ACE AUTO SALVAGE, INC.,)	
)	
Respondent.)	

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

This matter comes before the Board upon the December 24, 1996 filing of an administrative citation pursuant to Section 31.1 of the Environmental Protection Act (Act) (415 ILCS 5/31.1 (1994)) by the County of LaSalle. A copy of that administrative citation is attached hereto, but will not be printed in the Board's opinion volumes. Service of the administrative citation was made upon Ace Auto Salvage, Inc., (Ace) on December 19, 1996. The County of LaSalle alleges that on December 9, 1996 Ace, located in LaSalle County, violated Sections 21(p)(1), (p)(3), (p)(4), and (p)(6) of the Act. The statutory penalty established for each such violation is \$500 pursuant to Section 42(b)(4) of the Act.

Ace has not filed a petition for review with the Clerk of the Board within 35 days of the date of service as allowed by Section 31.1(d)(1) of the Act. Therefore, the Board finds Ace has violated the provision alleged in the administrative citation. Since there are four (4) such violations, the total penalty to be imposed is set at \$2000.

1. It is hereby ordered that, unless the penalty has already been paid, within 30 days of the date of this order, Ace shall, by certified check or money order payable to the LaSalle County Department of Environmental Services and Land Use, pay a penalty in the amount of \$2000, which is to be sent to:

LaSalle County Department of Environmental Services and Land Use
119 West Madison Street
Room 400
Ottawa, Illinois 61350

2. Respondent shall include the remittance form and write the case name and number and his social security or federal employer identification number on the certified check or money order.

3. Penalties unpaid after the due date shall accrue interest pursuant to Section 42(g) of the Act.
4. Payment of this penalty does not prevent future prosecution if the violation continues.

IT IS SO ORDERED.

Section 41 of the Environmental Protection Act (415 ILCS 5/41 (1994)) provides for the appeal of final Board orders to the Illinois Appellate Court within 35 days of the date of service of this order. The Rules of the Supreme Court of Illinois establish filing requirements. (See also 35 Ill. Adm. Code 101.246 "Motions for Reconsideration.")

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the _____ day of _____, 1997, by a vote of _____.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board