

Periodic sampling of the flow into the ditch subsequent to May 27, 1971 through February 14, 1972, disclose an absence of cyanide in the effluent. Subsequent sampling by the Agency indicates an absence of cyanide and satisfactory heavy metal levels.

The terms of settlement provide that Respondent admits that the violations complained of did, in fact, take place as set forth in the stipulation, but that it is now in compliance with all provisions of the Act and all rules and regulations of the Act pursuant thereto. Respondent agrees to the payment of a penalty in the amount of \$2,000.00 for the violations aforesaid, and agrees not to repeat the violations admitted. The Agency will be given the right of reasonable inspection of Respondent's facilities in accordance with Section 4(d) of the Act. The stipulation, both in the undertakings of the Respondent and the amount of penalty, appear satisfactory and we will enter our Order accordingly.

This opinion constitutes the findings of fact and conclusions of law of the Board.

IT IS THE ORDER of the Pollution Control Board:

1. Rex Chainbelt, Inc., Respondent, shall cease and desist the discharge of cyanide and heavy metals, in violation of the Rules and Regulations of the Pollution Control Board and the Environmental Protection Act.
2. Penalty in the amount of \$2,000.00 is assessed against Rex Chainbelt, Inc. for violation of SWB-5 and Section 12(a) of the Environmental Protection Act, payable to the State of Illinois and sent to the Environmental Protection Agency, Fiscal Services Division, 2200 Churchill Drive, Springfield, Illinois 62706.

I, Christan Moffett, Clerk of the Pollution Control Board, certify that the above Opinion and Order was adopted on the 23rd day of May, 1971 by a vote of 4-0.

