

ORDER

1. The Board accepts and incorporates by reference the stipulation and proposed settlement.
2. Dur-O-Wal must pay a civil penalty of \$30,000 no later than August 6, 2005, which is the 30th day after the date of this order. Dur-O-Wal must pay the civil penalty by certified check, money order, or electronic funds transfer payable to the Illinois Attorney General's Office, designated to the Illinois Attorney General's State Projects and Court Ordered Distribution Fund. The case number, case name, and Dur-O-Wal's social security number or federal employer identification number must be included on the certified check, money order, or electronic funds transfer.
3. Dur-O-Wal must send the certified check, money order, or record of electronic funds transfer by overnight mail to:

RoseMarie Cazeau
Chief, Environmental Bureau
Illinois Attorney General's Office
188 West Randolph Street
20th Floor
Chicago, Illinois 60601
4. A copy of the certified check, money order, or record of electronic funds transfer shall be sent to:

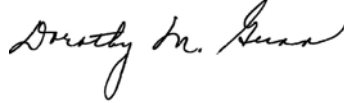
Ms. Bridget Carlson
Assistant Attorney General
Environmental Bureau
188 West Randolph Street, 20th Floor
Chicago, Illinois 60601
5. Penalties unpaid within the time prescribed will accrue interest under Section 42(g) of the Environmental Protection Act (415 ILCS 5/42(g) (2004)) at the rate set forth in Section 1003(a) of the Illinois Income Tax Act (35 ILCS 5/1003(a) (2004)).
6. Dur-O-Wal must cease and desist from the alleged violations.

IT IS SO ORDERED.

Section 41(a) of the Environmental Protection Act provides that final Board orders may be appealed directly to the Illinois Appellate Court within 35 days after the Board serves the order. 415 ILCS 5/41(a) (2004); *see also* 35 Ill. Adm. Code 101.300(d)(2), 101.906, 102.706. Illinois Supreme Court Rule 335 establishes filing requirements that apply when the Illinois

Appellate Court, by statute, directly reviews administrative orders. 172 Ill. 2d R. 335. The Board's procedural rules provide that motions for the Board to reconsider or modify its final orders may be filed with the Board within 35 days after the order is received. 35 Ill. Adm. Code 101.520; *see also* 35 Ill. Adm. Code 101.902, 102.700, 102.702.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above opinion and order on July 7, 2005, by a vote of 4-0.

A handwritten signature in cursive script that reads "Dorothy M. Gunn".

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board