ILLINOIS POLLUTION CONTROL BOARD
September 13, 1989

ILLINOIS ENVIRONMENTAL   )
PROTECTION AGENCY,   )
)
          Complainant,   )
)
          v.   )   AC 89-163
)   (IEPA Docket No. 9773-AC)
CITY OF CHICAGO HEIGHTS and   )
FITZ-MAR, INC.,   )
)
          Respondent.   )

ORDER OF THE BOARD:

      This matter comes before the Board upon a July 31, 1989
filing of an Administrative Citation pursuant to Section 31.1 of
the Illinois Environmental Protection Act (Act) by the Illinois
Environmental Protection Agency (Agency). A copy of that
Administrative Citation is attached hereto. Service of the
Administrative Citation was made upon the City of Chicago Heights
and Fitz-Mar on July 28, 1989. The Agency alleges that the City
of Chicago Heights and Fitz-Mar has violated Section 21(p)(5) of
the Act. The statutory penalty established for this violation is
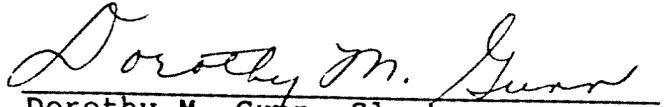$500.00 pursuant to Section 42(b)(4) of the Act.

      The City of Chicago Heights and Fitz-Mar 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)(2) of the
Act. Therefore, pursuant to Section 31.1(d)(1), the Board finds
that the City of Chicago Heights and Fitz-Mar has violated the
provision alleged in the Administrative Citation. Since there is
one (1) such violation, the total penalty to be imposed is set at
$500.00.

      It is hereby ordered that, unless the penalty has already
been paid, within 30 days of the date of this Order the City of
Chicago Heights and Fitz-Mar shall, by certified check or money
order payable to the State of Illinois and designated for deposit
into the Environmental Protection Trust Fund, pay a penalty in
the amount of $500.00 which is to be sent to:

                    Illinois Environmental Protection Agency
                    Fiscal Services Division
                    2200 Churchill Road
                    Springfield, IL 62706

      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 _____ day of _____, 1989, by a vote of 7-0 .

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board