

ILLINOIS POLLUTION CONTROL BOARD
March 8, 1990

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.) AC 89-162
) (IEPA No. 97-94-AC)
) (Administrative Citation)
LAND & LAKES COMPANY,)
)
Respondent.)

ORDER OF THE BOARD (by J. Marlin):

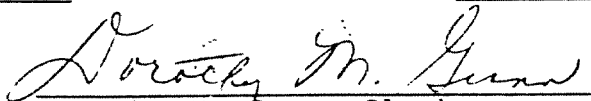
This matter is before the Board upon its own motion. A Petition for Review was filed on August 28, 1989 to contest the Administrative Citation filed in this case and a hearing was authorized. Subsequently, the Board allowed the Citation to be amended down to one count with a corresponding reduction in the civil penalty.

Upon review of the record, the Board finds that the Hearing Officer in this matter has stated that no further action appears to be required and has recommended that the case be closed. Even so, respondent has not filed a motion to dismiss the Petition for Review. If the respondent is not going to contest the remaining count of the Administrative Citation, the Board is required to make a final finding of violation pursuant to Section 31.1 of the Environmental Protection Act in a standard default order. See, In the Matter of: Waste Management of Illinois, Inc., AC 88-53, September 8, 1988.

The Board hereby orders the respondent, Land & Lakes Company, to inform the Board of its intent or to file a motion to dismiss Petition for Review with the Board by March 29, 1990. Failure to comply with this order will result in a standard default order being entered against the respondent.

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 8th day of March, 1990, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board