

proceeding. We directed the parties to submit, within 30 days, relevant information on the question of remedy. A recommendation was submitted by the Agency in which the Agency states that the admitted violations appear to have been the consequence of negligence rather than intent and that all violations have been terminated. The Agency suggests that the order direct that Respondent refrain from future violations and the imposition of a fine in the amount of \$500, of which half would be suspended in the event all violations are corrected within 30 days, and that no violations recur in the following three years. We believe the proposal to be somewhat ambiguous in that the recommendation states that all violations have been terminated, yet suggests partial refund in the event all violations are corrected within thirty days. However, we believe the settlement a reasonable one in view of Respondent's compliance at the present time. We will direct Respondent to cease and desist from any violations of the Act or Regulations in the conduct of its public water facility and will assess a penalty in the amount of \$250.

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

IT IS THE ORDER of the Pollution Control Board that Respondent, DAVID HALVERSON, cease and desist all violations of the relevant statutes and regulatory provisions with respect to the conduct of public water supply facilities operated by him in the Village of Cortland. Respondent shall pay to the State of Illinois, a penalty in the amount of \$250, on or before March 6, 1973, for violations aforesaid as charged in the complaint, to be paid to: Fiscal Services Division, Illinois Environmental Protection Agency, 2200 Churchill Drive, Springfield, Illinois 62706.

I, Christan Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Opinion and Order was adopted on the 30th day of January, 1973, by a vote of 3 to 0.

Christan L. Moffett