

ILLINOIS POLLUTION CONTROL BOARD
July 31, 1973

ENVIRONMENTAL PROTECTION AGENCY)
)
)
 v.) PCB 73-108
)
)
 ROBERT ACKER, d/b/a)
 ACKER IMPLEMENT)
)

OPINION AND ORDER OF THE BOARD (by Mr. Dumelle)

Complaint was filed March 9, 1973 alleging a single instance of open burning of refuse (including trees, wood skids, bedsprings, wire and metal cans) on November 15, 1971 in Mount Carroll, Carroll County, in violation of Section 9(c) of the Act.

Six color photos were placed in evidence by the Agency and show a moderate size fire with a dense black plume of smoke coming from it.

Hearing was held on July 13, 1973 in Mount Carroll. A stipulation was presented admitting the incident and claiming ignorance of the Act. The respondent states that he has arranged for alternate disposal of refuse generated by the operation of his farm implement store and offers \$500 in settlement of the violation.

No members of the public appeared at the hearing to comment upon the incident.


We accept the stipulation and issue a cease and desist order.

ORDER

1. Respondent shall cease and desist from violations of Section 9(c) of the Environmental Protection Act.
2. Respondent shall be penalized \$500. Payment shall be made by certified check or money order payable to the State of Illinois, and shall be sent to Fiscal Services Division, Illinois Environmental Protection Agency, 2200 Churchill Drive, Springfield, Illinois 62706.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order was adopted on the 31st day of July, 1973 by a vote of 4-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board