

ILLINOIS POLLUTION CONTROL BOARD
February 23, 1989

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Petitioner,)
)
v.) AC 88-118
) IEPA NO. 9327-AC
CLEVINGER CONTRACTORS, INC.,)
)
Respondent.)

ORDER OF THE BOARD (by J.D. Dumelle):

This matter comes before the Board upon a February 1, 1989, Motion to Dismiss filed by the Illinois Environmental Protection Agency (Agency). The Agency states that this action was filed against both Clevenger Contractors, Inc., and Raymond L. Fauber based on the behalf that Fauber was jointly and severally liable for the violations alleged. However, the Agency has determined that Fauber is not culpable for the alleged violations and moved that he be dismissed from this action.

The Agency's motion is hereby granted.

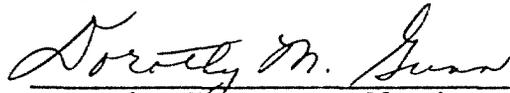
Pursuant to Section 31.1(d)(1), the Board finds that the Clevenger Contractors, Inc. has violated each and every provision alleged in the Administrative Citation. Since there are three (3) violations, the total penalty to be imposed is set at \$1,500.00.

It is hereby ordered that, unless the penalty has already been paid, within 30 days of the date of this Order the Clevenger Contractors, Inc. 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 \$1,500.00 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 23rd day of February, 1989 by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board