



This opinion constitutes the Board's findings of fact and conclusions of law in this matter.

ORDER

1. The Board hereby accepts the stipulation and settlement agreement executed by the People of the State of Illinois and Rivero. The stipulation and settlement agreement is incorporated by reference as though fully set forth herein.
2. Rivero must pay a civil penalty of \$800 in installments. The first installment of \$500 must be made within 30 days of the date of this order, that is, on or before February 17, 2001. The second installment of \$100 must be made within 60 days of the date of this order, that is, on or before March 19, 2001. The third installment of \$100 must be made within 90 of the date of this order, that is, on or before April 18, 2001. The fourth and final installment of \$100 must be made within 120 days of the date of this order, that is, on or before May 18, 2001. Such payment must be made by certified check or money order payable to the Illinois Environmental Protection Agency for deposit in the Environmental Protection Trust Fund. The case number, case name, and Rivero's Federal Employer Identification number must also be included on the certified check or money order.
3. The check or money order must be sent by first class mail to:

Illinois Environmental Protection Agency  
Fiscal Services Division  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

A copy of the payment transmittal and check shall be simultaneously submitted to:

Office of the Attorney General  
Kelly A. O'Connor, Environmental Bureau  
188 West Randolph Street, 20th Floor  
Chicago, Illinois 60601

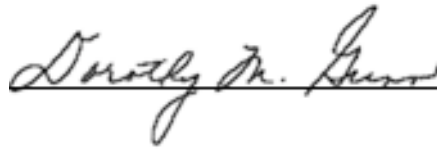
4. Any such penalty not paid within the time prescribed incurs interest at the rate set forth in subsection (a) of Section 1003 of the Illinois Income Tax Act, (35 ILCS 5/1003 (1998)), as now or hereafter amended, from the date payment is due until the date payment is received. Interest does not accrue during the pendency of an appeal during which payment of the penalty has been stayed.

5. Rivero must cease and desist future alleged violations of any federal, State, or local statutes and regulations.

IT IS SO ORDERED.

Section 41 of the Environmental Protection Act (415 ILCS 5/41 (1998)) provides for the appeal of final Board orders to the Illinois Appellate Court within 35 days of the date of service of this order. Illinois Supreme Court Rule 335 establishes such filing requirements. See 172 Ill. 2d R. 335; see also 35 Ill. Adm. Code 101.520, Motions for Reconsideration.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 18th day of January 2001 by a vote of 7-0.

A handwritten signature in cursive script that reads "Dorothy M. Gunn". The signature is written in black ink and is positioned above a solid horizontal line.

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board