

ILLINOIS POLLUTION CONTROL BOARD  
January 6, 1994

ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Complainant,	)	
	)	
v.	)	AC 93-57
	)	(IEPA Docket No. 721-93-AC)
WESLEY SIMPSON,	)	(Administrative Citation)
	)	
Respondent.	)	

ORDER OF THE BOARD:

This matter comes before the Board upon a November 15, 1993 filing of an Administrative Citation pursuant to Section 31.1 of the Illinois Environmental Protection Act (Act) by the Illinois Environmental Protection Agency (Agency). A copy of that Administrative Citation is attached hereto, but will not be printed in the Board's Opinion Volumes. Service of the Administrative Citation was made upon Wesley Simpson on November 19, 1993. The Agency alleges that on September 20, 1993, Wesley Simpson, present owner and/or operator of a facility located in Peoria County, and commonly known to the Agency as Rosefield Township/Simpson, West Property, violated Sections 21(p)(1) and 21(p)(3) of the Act. The statutory penalty established for each of these violations is \$500.00 pursuant to Section 42(b)(4) of the Act.

Wesley Simpson has not filed a Petition for Review with the Clerk of the Board within 35 days of the date of service as allowed by Section 31.1(d)(2) of the Act. Therefore, pursuant to Section 31.1(d)(1), the Board finds that Wesley Simpson has violated each and every provision alleged in the Administrative Citation. Since there are two (2) such violations, the total penalty to be imposed is set at \$1,000.00.

1. It is hereby ordered that, unless the penalty has already been paid, within 30 days of the date of this Order Wesley Simpson 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 \$1,000.00 which is to be sent to:

Illinois Environmental Protection Agency  
Fiscal Services Division  
2200 Churchill Road  
P.O. Box 19276  
Springfield, IL 62794-9276

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, )  
 )  
 Complainant, )  
 v. )  
 )  
 WESLEY SIMPSON, )  
 )  
 Respondent. )

AC 93-57  
(IEPA No. 721-93-AC)

JURISDICTION

This Administrative Citation is issued pursuant to authority vested in the Illinois Environmental Protection Agency by Ill. Rev. Stat. ch. 111 1/2, para. 1031.1 (1991).

FACTS

1. That Respondent is the present owner and/or operator of a facility located in the County of Peoria, State of Illinois.
2. That said facility is an open dump, operating without an Illinois Environmental Protection Agency Operating Permit, and designated with Site Code No. 1438160007. Said facility is commonly known to the Agency as Rosefield Township/Simpson, West Property.
3. That Respondent has owned and/or operated said facility at all times pertinent hereto.
4. That on September 20, 1993, Eugene Figge, of the Illinois Environmental Protection Agency, inspected the above described facility. A copy of the inspection report setting forth the results of such inspection is attached hereto and made a part hereof.

If you acknowledge the violations cited hereinabove, the civil penalty specified above shall be due and payable no later than December 24, 1993. If you do not petition the Illinois Pollution Control Board for review of this Administrative Citation within thirty-five (35) days of service hereof or if you elect to contest this Administrative Citation, any judgment rendered against you shall specify the due date of the statutory civil penalty and any costs assessed against you.

When payment is made, your check should be made payable to the Illinois Environmental Protection Trust Fund and mailed to the attention of Fiscal Services, Illinois Environmental Protection Agency, 2200 Churchill Road, P.O. Box 19276, Springfield, Illinois 62794-9276. Also, please complete and return the enclosed Remittance Form, along with your payment, to assure proper documentation of payment.

If any civil penalty imposed by the Illinois Pollution Control Board is not paid within the time prescribed in the order, interest on such penalty will be assessed for the period from the date payment is due until the date payment is received. If any civil penalty, by reason of acknowledgment, default or finding after adjudicatory hearing is not paid when due, the Office of the Illinois Attorney General shall be requested to initiate proceedings in Circuit Court to collect said civil penalty. In addition to the previously assessed civil penalty, interest, and hearing costs of the Illinois Environmental Protection Agency and the Illinois Pollution Control Board, if any, the Attorney General's Office will seek to recover their costs of litigation.



REMITTANCE FORM

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, )  
)  
Complainant, )  
)  
v. )  
)  
WESLEY SIMPSON, )  
)  
Respondent. )

*AC 93-57*  
EPA 721-93-AC

FACILITY: Simpson, West Property

SITE CODE NO.: 1438160007

COUNTY: Peoria

CIVIL PENALTY: \$1,000.00

DATE OF INSPECTION: September 20, 1993

DATE REMITTED: \_\_\_\_\_

SS/FEIN NUMBER: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

NOTE

Please enter the date of your remittance, your Social Security number (SS) if an individual or Federal Employer Identification Number (FEIN) if a corporation, and sign this Remittance Form. Be sure your check is enclosed and mail, along with Remittance Form, to Illinois Environmental Protection Agency, Attn.: Fiscal Services, 2200 Churchill Road, P.O. Box 19276, Springfield, Illinois 62794-9276.