

ILLINOIS POLLUTION CONTROL BOARD
December 6, 1989

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	
)	
v.)	PCB 89-69
)	(Enforcement)
KLAUSING TREE SERVICE, INC.,)	
)	
Respondent.)	

OPINION AND ORDER OF THE BOARD (by B. Forcade):

This matter comes before the Board upon a complaint filed on behalf of the Illinois Environmental Protection Agency ("Agency"), by and through its attorney, Neil F. Hartigan, Attorney General of the State of Illinois, against Klausung Tree Service, Inc. ("Klausung"). The complaint alleges that Klausung has violated Section 9(a) and (c) of the Illinois Environmental Protection Act ("Act"), Ill. Rev. Stat. 1987, ch. 111 $\frac{1}{2}$, pars. 1009(a) and (c), and 35 Ill. Adm. Code 237.102(a) of the Board's rules and regulations.

Hearing on this matter was held on July 14, 1989 in New Lenox, Illinois. At the hearing, the parties submitted a Stipulation and Settlement Agreement, executed by the parties. The Stipulation sets forth a full stipulation of all material facts pertaining to the nature, operations, and circumstances surrounding the claimed violations.

The Board finds the settlement agreement acceptable under 35 Ill. Adm. Code 103.180. This settlement agreement in no way affects respondent's responsibility to comply with any federal, state or local regulations, including but not limited to the Act and the Board's air pollution control regulations.

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

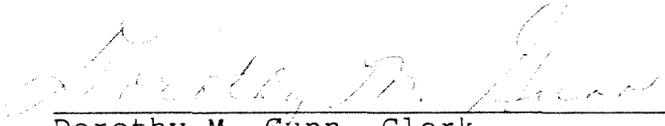
ORDER

The Board hereby accepts the Stipulation and Settlement Agreement executed by the Illinois Environmental Protection Agency and Klausung Tree Services, Inc. concerning Klausung's tree trimming services, located in New Lenox, Illinois. The Stipulation and Settlement Agreement are incorporated by reference as though fully set forth herein.

Section 41 of the Environmental Protection Act, Ill. Rev. Stat. 1987, ch. 111½, par. 1041, provides for appeal of final Orders of the Board within 35 days. The Rules of the Supreme Court of Illinois establish filing requirements.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 6th day of December, 1989, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board