

ILLINOIS POLLUTION CONTROL BOARD
July 30, 1992

SANGAMON COUNTY,)	
)	
Complainant,)	
)	
v.)	AC 92-43
)	(SCDPH-92-AC-11)
ILLINOIS NATIONAL BANK OF)	(Administrative Citation)
SPRINGFIELD, n/k/a FIRST OF)	
AMERICA BANK, SPRINGFIELD as)	
Trustee Under Trust No.)	
13-04439-00; ROBERT GOLDSBERRY)	
and NANCY GOLDSBERRY,)	
)	
Respondents.)	

ORDER OF THE BOARD:

This matter comes before the Board upon a June 1, 1992 filing of an Administrative Citation pursuant to Section 31.1 of the Illinois Environmental Protection Act (Act) by Sangamon County. 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 Illinois National Bank of Springfield, n/k/a First of America Bank, Springfield, on May 19, 1992, and on Robert and Nancy Goldsberry, on May 21, 1992. Sangamon County alleges that on April 28, 1992, the Illinois National Bank of Springfield, n/k/a First of America Bank, Springfield, and Robert and Nancy Goldsberry, present owner and/or operators of a facility located in Sangamon County, and commonly known to the Agency as Fancy Creek Township/Goldsberry, violated Section 21(p)(1) of the Act. The statutory penalty established for this violation is \$500.00 pursuant to Section 42(b)(4) of the Act.

Respondents have 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 the Respondents have violated the provision alleged in the Administrative Citation. Since there is one (1) such violation, the total penalty to be imposed is set at \$500.00.

1. It is hereby ordered that, unless the penalty has already been paid, within 30 days of the date of this order the Respondents shall, by certified check or money order payable to the Sangamon County Public Health Department, pay a penalty in the amount of \$500.00 which is to be sent to:

0135-0217

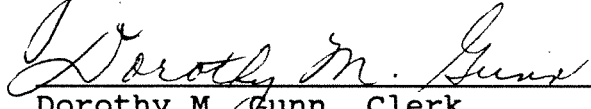
James D. Stone
Director of Public Health
Sangamon County Department of Public Health
200 South Ninth Street - Room 301
Springfield, Illinois 62701

2. Respondent shall include the remittance form and write the case name and number and their social security or federal Employer Identification Number on the certified check or money order.
3. Penalties unpaid after the due date shall accrue interest pursuant to Section 42(g) of the Illinois Environmental Protection Act.
4. Payment of this penalty does not prevent future prosecution if the violation continues.

Section 41 of the Environmental Protection Act, Ill. Rev. Stat. 1989, 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 order was adopted on the 30th day of July, 1992, by a vote of 6-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board