

ILLINOIS POLLUTION CONTROL BOARD  
April 9, 1992

LOGAN COUNTY HEALTH	)	
DEPARTMENT,	)	
	)	
Complainant,	)	
	)	
v.	)	AC 92-11
	)	(LCHD No. 9112-AC-2)
LINCOLN/LOGAN LANDFILL,	)	(Administrative Citation)
INC.,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD:

This matter comes before the Board upon a February 24, 1992 filing of an Administrative Citation pursuant to Section 31.1 of the Illinois Environmental Protection Act (Act) by the Logan County Health Department. 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 Lincoln/Logan Landfill on February 24, 1992. The Logan County Health Department alleges that on December 26, 1991, Lincoln/Logan Landfill, present owner and/or operator of a facility located in Logan County and commonly known to the Agency as Lincoln/Logan Landfill, violated Sections 21(o)(1), 21(o)(3), 21(o)(5), 21(o)(9), 21(o)(11) and 21(o)(12) of the Act.<sup>1</sup> The statutory penalty established for each of these violations is \$500.00 pursuant to Section 42(b)(4) of the Act.

Lincoln/Logan Landfill 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 Lincoln/Logan Landfill has violated each and every provision alleged in the Administrative Citation. Since there are six (6) such violations, the total penalty to be imposed is set at \$3,000.00.

1. It is hereby ordered that, unless the penalty has already been paid, within 30 days of the date of this Order Lincoln/Logan Landfill shall, by certified check of money order payable to the Logan County Health Department, pay a penalty in the amount of \$3,000.00, which is to be sent to:

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<sup>1</sup> Section 21 of the Act was amended by Public Act 87-752, effective January 1, 1992. As a result, the two subsections enforceable through the administrative citation process have been changed from 21(p) and 21(q) to 21(o) and 21(p) respectively.

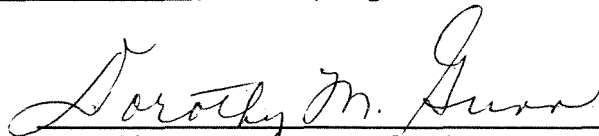
Director of Financial Services  
Logan County Health Department  
2120 W. 5th Street Road  
Lincoln, Illinois 62656

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 upaid 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. 111-1/2, par. 1041, provides for appeal of final Order 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 9<sup>th</sup> day of April, 1992, by a vote of 7-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board