

ILLINOIS POLLUTION CONTROL BOARD
April 6, 1995

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	
)	
v.)	AC 94-54
)	(IEPA Docket No. 369-94-AC)
)	(Administrative Citation)
)	
ENVIRITE CORPORATION,)	
)	
Respondent.)	

ORDER OF THE BOARD (by J. Theodore Meyer):

This matter is before the Board on a motion to withdraw, filed by respondent Envirite Corporation, on March 29, 1995. Respondent seeks to withdraw its petition for review. The motion to withdraw is granted.

This administrative citation was filed on July 15, 1994, by the Illinois Environmental Protection Agency (Agency) pursuant to Section 31.1 of the Environmental Protection Act (Act). The Agency alleges that on May 20, 1994 Envirite Corporation, present owner and/or operator of a facility located in Livingston County and commonly known to the County as Livingston Landfill (IEPA Site No. 1058210002), Livingston County, Illinois, violated Sections 21(o)(5) and 21(o)(12) of the Act. The statutory penalty established for these violations is \$500 each, pursuant to Section 42(b)(4) of the Act.

Pursuant to Section 31.1(d)(1), the Board finds that respondent, Envirite Corporation, has violated the provisions alleged in the administrative citation. Since there are two (2) such violations, the total penalty to be imposed is set at \$1,000.

1. It is hereby ordered that, unless the penalty has already been paid, within 30 days of the date of this order, Envirite Corporation shall, by certified check or money order payable to the Illinois Environmental Protection Trust Fund, pay a penalty in the amount of \$1,000, which is to be sent to:

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

2. Respondent shall include the remittance form and write the

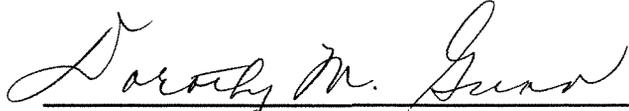
case name and number and their social security or federal Employer Identification Number on the certified check or money order.

3. Penalties unpaid after the due date shall accrue interest pursuant to Section 42(g) of the Environmental Protection Act.
4. Payment of this penalty does not prevent future prosecution if the violations continue.

IT IS SO ORDERED.

Section 41 of the Environmental Protection Act (415 ILCS 5/41 (1992)) provides for appeal of final orders of the Board within 35 days. The Rules of the Supreme Court of Illinois establish filing requirements. (See also 35 Ill. Adm. Code 101.246, Motions for Reconsideration.)

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 6th day of April, 1995, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board