

ILLINOIS POLLUTION CONTROL BOARD

August 24, 1995

MONTGOMERY COUNTY, )  
 )  
 Complainant, ) AC 95-4  
 ) (Administrative Citation)  
 v. )  
 )  
 ENVOTECH-ILLINOIS, INC., )  
 )  
 Respondent. )

ORDER OF THE BOARD (by E. Dunham):

This matter is before the Board on a "Withdrawal of Petition For Review of Administrative Citation" filed by respondent on August 15, 1995. The petition for review was filed with the Board on January 19, 1995. Respondent seeks to withdraw its petition for review and agrees to pay the civil penalty.

On January 5, 1995, an Administrative Citation was filed with the Board pursuant to Section 31.1 of the Illinois Environmental Protection Act (Act) by Montgomery County (County). The citation alleges that on November 30, 1994, the County inspected sanitary and special waste landfill owned and/or operated by respondent. Based on this inspection the County alleges that respondent violated Sections 21(o)(5) and 21(o)(12) of the Act. The statutory penalty established for each violation is \$500.00 pursuant to Section 42(b)(4) of the Act. Therefore, respondent is subject to a total penalty of \$1,000.00 for the two violations.

The Board hereby grants respondent's motion to withdraw the petition for review. Therefore, pursuant to Section 31.1(d)(1), the Board finds that Envotech-Illinois, Inc. violated the provisions alleged in the Administrative Citation. Since there are two (2) such violations, the total penalty to be imposed is \$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 the respondent shall, by certified check or money order payable to the Montgomery County Treasurer, pay a penalty in the amount of \$1,000.00 which is to be sent to:

Mr. Tom Larson, Director,  
Montgomery County Health Department  
South Route 185  
Hillsboro, Illinois 62049

2. Respondent shall include the remittance form and write the case name and number and its social security or

federal employer identification number on the certified check or money order.

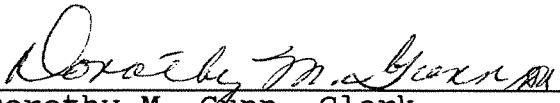
- 3. Penalties unpaid after the due date shall accrue interest pursuant to Section 42(g) of the Illinois Environmental Protection Act.
- 4. Payment of this penalty does not prevent future prosecution if the violation continues.

This docket is hereby closed.

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 of the date of service of this order. The Rules of the Supreme Court of Illinois establish filing requirements. (See also 35 Ill. Adm. Code 101.246, Motion for Reconsideration.)

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 24<sup>th</sup> day of August, 1995, by a vote of 7-0.

  
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 Dorothy M. Gunn, Clerk  
 Illinois Pollution Control Board