

ILLINOIS POLLUTION CONTROL BOARD
October 24, 1991

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY)
)
Complainant,)
)
v.) AC 91-17 (Docket B)
) (Administrative Citation)
RONALD FELDMAN) (IEPA Docket No. 1591-91-AC)
d/b/a FELCO COMPANY)
)
Respondent.)

MR. RICHARD WARRINGTON, JR., APPEARED ON BEHALF OF THE
COMPLAINANT; ILLINOIS ENVIRONMENTAL PROTECTION AGENCY.

MR. GERALD E. FRANK APPEARED ON BEHALF OF RESPONDENT.

OPINION AND ORDER OF THE BOARD (by J.C. Marlin):

This matter comes before the Board from the filing of an Administrative Citation by the Illinois Environmental Protection Agency ("Agency"), pursuant to Section 31.1 of the Illinois Environmental Protection Act ("Act"). The citations alleged that Mr. Ronald Feldman d/b/a Felco Company violated sections 21(q)(1) of the Act. The civil penalties established for this violation is \$500.00 plus any hearing cost incurred by the Board of the Agency.

On a petition for review filed by the Respondent, hearing was held on this matter on July 22, 1991. On September 12, 1991 the Board issued an Opinion and Order finding that the cited violations had occurred and imposed a penalty of \$500.00. The Board also directed the Clerk of the Board and the Agency to file affidavits declaring their hearing costs.

On October 22, 1991, the Agency filed motion to file instant, which is granted by today's Order, and an affidavit stating that its hearing costs were \$234.06. The Clerk of the Board filed an affidavit on September 30, 1991 stating that the hearing costs incurred by the Board were \$509.20. The total hearing costs to be assessed against the Respondent are \$743.26.

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

ORDER

It is hereby ordered that within thirty days of the date of this Order, Ronald Feldman, d/b/a Felco Company shall, by certified check or money order, payable to the State of Illinois

and designated for deposit into the General Revenue Fund, pay as compensation for hearing costs incurred by the Board and Agency, the amount of \$743.26, which is to be sent to:

Illinois Environmental Protection Agency
Fiscal Service Division
2200 Churchill Road
Springfield, Illinois 62706

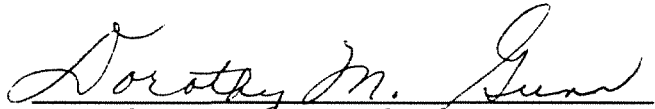
This docket is hereby closed.

Section 41 of the Environmental Protection Act, Ill.Rev.Stat. 1989, ch. 111 1/2, 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.

Board Member J. Theodore Meyer dissented.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 24th day of October, 1991, by a vote of 6-1.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board