

ILLINOIS POLLUTION CONTROL BOARD

June 6, 1991

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 90-62
	)	(Enforcement)
SURE-TAN, INC., an Illinois	)	
corporation,	)	
	)	
Respondent.	)	

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

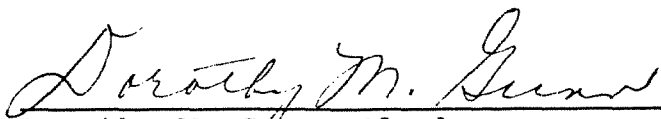
This matter is before the Board on Respondent Sure-Tan, Inc.'s ("Sure-Tan") Motion to Reduce Penalty filed May 13, 1991. The motion "offers to settle this case for \$1,000 - in order that we may continue the operation of this company." The motion also makes several arguments as to why the \$10,000 penalty the Board imposed upon Sure-Tan in its April 11, 1991 Order is excessive.

To the extent that the filing can be construed as a motion to reconsider the Board's Order, it is denied. It raises no issue for the Board's consideration that was not considered previously. Nor is any information regarding the Respondent's financial resources, other than Respondent's assertion, contained in this record. To the extent that the filing seeks to "settle" the matter with the Board the movant misunderstands the Board's role. The Board's role is not as a party to any settlement negotiations but as the adjudicator of the case brought before it by the People of the State of Illinois, as represented by the Illinois Attorney General, against Sure-Tan, Inc. Therefore, the motion to reduce penalty is denied. The time for payment of penalty, set forth in our April 11, 1991 Order, begins as of today's date.

IT IS SO ORDERED.

J. Theodore Meyer concurred.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 6<sup>th</sup> day of June, 1991 by a vote of 7-0.

  
 Dorothy M. Gunn, Clerk  
 Illinois Pollution Control Board