

ILLINOIS POLLUTION CONTROL BOARD
February 28, 1991

COUNTY OF JACKSON,)
)
 Complainant,)
)
 v.) AC 89-258
) Docket B
) (Administrative Citation)
 DONALD TAYLOR,)
)
 Respondent.)

OPINION AND ORDER OF THE BOARD (by B. Forcade):

This matter comes to the Board on an Administrative Citation filed pursuant to authority vested in the Illinois Environmental Protection Agency and delegated to the County of Jackson pursuant to Section 4(r) of the Illinois Environmental Protection Act (hereinafter "the Act") (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 1001 et. seq.). The citation was filed November 20, 1989, and alleges that Respondent, Donald Taylor, the operator of a facility located in Jackson County, Illinois is in violation of Sections 21(q)(1) and 21(q)(3) for causing or allowing open dumping of wastes that result in litter and result in open burning.

A Petition for Review was filed with the Board on December 21, 1989. Hearing was held February 23, 1990, at the City Council Chambers in Murphysboro, Illinois. On January 10, 1991 the Board issued an Order finding that the cited violations had occurred and imposed a penalty of \$500.00 each. The Board also directed the Clerk of the Board and the County to file affidavits declaring their hearing costs.

On January 22, 1991, the Clerk of the Pollution Control Board filed an affidavit stating that the Board's hearing costs were \$682.96. On February 14, 1991 the County filed an affidavit stating its hearing costs were zero. The total hearing costs to be assessed against Respondents are \$682.96.

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, Donald Taylor 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, the amount of \$682.96 which is to be sent to:

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

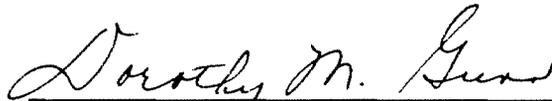
This docket is hereby closed.

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.

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 28th day of February, 1991, by a vote of 5-1.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board