

ILLINOIS POLLUTION CONTROL BOARD  
March 8, 1990

ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Complainant,	)	
	)	
v.	)	AC 89-306
	)	(IEPA No. 10087-AC)
	)	(Administrative Citation)
WALTER ROCKAMANN,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by J. Marlin):

This matter comes before the Board on a February 26, 1990 motion to withdraw Petition for Review filed by the respondent, Walter Rockamann. In support of his motion, respondent states that there is "no further dispute between the parties and the need for review is mooted."

On December 29, 1989, an Administrative Citation was filed with the Board pursuant to Section 31.1 of the Illinois Environmental Protection Act (Act) by the Illinois Environmental Protection Agency (Agency). A copy of that Administrative Citation is attached hereto, but will not be printed in the Board's Opinion Volumes. Service of the Administrative Citation was made upon Walter Rockamann on December 28, 1989. The Agency alleges that on November 2, 1989, Walter Rockamann, present operator of a facility located in the County of Clinton, violated Sections 21(a)(1) and 21(q)(3) of the Act. The statutory penalty established for each of these violations is \$500.00 pursuant to Section 42(b)(4) of the Act.

A Petition for Review was filed on February 1, 1990 to contest the Administrative Citation. Subsequently, the Board allowed the Citation to be amended to delete the alleged violation of 21(q)(3), leaving one violation with a corresponding reduction in the civil penalty. The respondent's motion to withdraw the Petition for Review is granted.

Therefore, pursuant to Section 31.1(d)(1), the Board finds that Walter Rockamann has violated the provisions alleged in the amended Administrative Citation. Since there is one (1) such violation, the total penalty to be imposed is \$500.00.

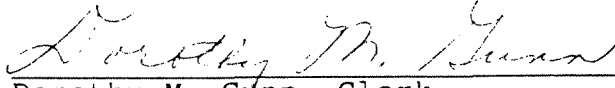
It is hereby ordered that, unless the penalty has already been paid, within 30 days of the date of this Order Walter Rockamann shall, by certified check or money order payable to the State of Illinois and designated for deposit into the

Environmental Protection Trust Fund, pay a penalty in the amount of \$500.00 which is to be sent to:

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

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 27 day of March, 1990, by a vote of 7-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board