

ILLINOIS POLLUTION CONTROL BOARD
December 6, 1989

COUNTY OF TAZEWELL,)
)
 Complainant,)
)
 v.) AC 89-234
) (Case No. 89-EH-3)
) (Administrative Citation)
 OLEN SPURGEON, SPURGEON)
 CONSTRUCTION COMPANY,)
)
 Respondent.)

ORDER OF THE BOARD:

This matter comes before the Board upon an October 26, 1989 filing of an Administrative Citation pursuant to Section 31.1 of the Illinois Environmental Protection Act (Act) by the County of Tazewell. A copy of that Administrative Citation is attached hereto. Service of the Administrative Citation was made upon Olen Spurgeon on October 24, 1989. The County of Tazewell alleges that Olen Spurgeon has violated Sections 21(q)(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.

Olen Spurgeon has not filed a Petition for Review with the Clerk of the Board within 35 days of the date of service as allowed by Section 31.1(d)(2) of the Act. Therefore, pursuant to Section 31.1(d)(1), the Board finds that Olen Spurgeon has violated each and every provision alleged in the Administrative Citation. Since there are two (2) such violations, the total penalty to be imposed is set at \$1,000.00.

It is hereby ordered that, unless the penalty has already been paid, within 30 days of the date of this Order Olen Spurgeon shall, by certified check or money order payable to the Tazewell County Health Department pay a penalty in the amount of \$1,000.00, which is to be sent to:

Gordon Poquette
Rural Route #1
Tremont, Illinois 61568

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 6th day of December, 1989, by a vote of 6-0.

Dorothy M. Gunn
Dorothy M. Gunn, Clerk
Illinois Pollution Control Board