

ILLINOIS POLLUTION CONTROL BOARD  
July 13, 1989

IN THE MATTER OF: )  
 )  
FRANKLIN FLOWER and ROGER ) AC 89-113  
FLOWER, ) (IEPA Docket No. 9675-AC)  
 )  
Respondents. )

ORDER OF THE BOARD:

This matter comes before the Board upon a June 8, 1989 filing of an Administrative Citation 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. Service of the Administrative Citation was made upon Franklin and Roger Flower on June 2, 1989. The Agency alleges that Franklin and Roger Flower have violated Sections 21(p)(5), 21(p)(12), 21(p)(4), 21(p)(3), 21(p)(1) and 21(p)(11) of the Act. The statutory penalty established for each of these violations is \$500.00 pursuant to Section 42(b)(4) of the Act.

Franklin and Roger Flower have 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 Franklin and Roger Flower have violated each and every provision alleged in the Administrative Citation. Since there are six (6) such violations, the total penalty to be imposed is set at \$3,000.00.

It is hereby ordered that, unless the penalty has already been paid, within 30 days of the date of this Order Franklin and Roger Flower 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 \$3,000.00 which is to be sent to:

Illinois Environmental Protection Agency  
Fiscal Services Division  
2200 Churchill Road  
Springfield, IL 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 13<sup>th</sup> day of July, 1989, by a vote of 7-0.

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