

ILLINOIS POLLUTION CONTROL BOARD  
April 12, 1990

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Complainant, )  
 )  
v. ) AC 89-162  
 ) IEPA No.9794-AC  
 ) (Administrative Citation)  
LAND & LAKES COMPANY )  
 )  
Respondent. )

ORDER OF THE BOARD (by J. Marlin):

This matter is before the Board pursuant to a March 8, 1990 Board Order. In that Order the Board ordered that unless action was taken by respondent, Land & Lakes Company, a default order would be entered against it. The respondent did not take any action with the Board during the time allowed. Therefore, the Board hereby orders a default order be issued against the respondent and that this case be closed.

On July 28, 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 the Land & Lakes Co. on July 28, 1989. The Agency alleges that on May 30, 1989, the Land & Lakes Co., present operator of a facility located in the County of Cook, violated Sections 21(p)(5) and 21(p)(1) of the Act. The statutory penalty established for each violation is \$500.00 pursuant to Section 42(b)(4) of the Act.

Subsequently, the complaint was amended to delete the violation of Section 21(p)(1) and to reduce the civil penalty accordingly. Pursuant to Section 31.1(d)(1), the Board finds that the Land & Lakes Co. has violated the provision 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 the Land & Lakes Co. shall, by certified check or money order payable to the State of Illinois and designated for deposit into the Environmental

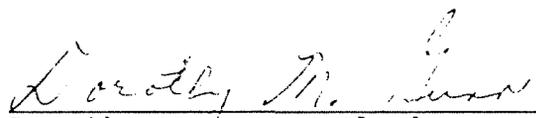
Protection Trust Fund, pay a penalty in the amount of \$500.00 which is to be sent to:

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

This docket is closed.

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 12<sup>th</sup> day of April, 1990, by a vote of 7-0.

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