

ILLINOIS POLLUTION CONTROL BOARD
April 27, 1989

IN THE MATTER OF)
)
VILLAGE OF MILLSTADT,) AC 89-60
)
Respondent.)

ORDER OF THE BOARD (by J. Marlin):

This matter comes before the Board upon a Motion to Amend an Administrative Citation filed April 21, 1989, by the Illinois Environmental Protection Agency (Agency). The Respondent has not filed a Petition for Review.

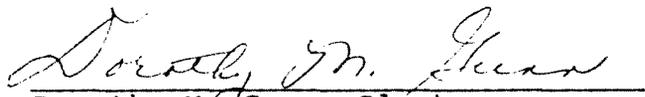
Pursuant to a January 24, 1989 inspection, the Agency filed a March 17, 1989 Administrative Citation in which the Agency assessed a penalty of one thousand five hundred dollars (\$1,500.00) for three violations of the Environmental Protection Act, Ill. Rev. Stat. 1987, ch. 111 1/2, par. 1021 (Act). Specifically, the Respondent was assessed a civil penalty of five hundred dollars (\$500.00) each for violations of uncovered refuse remaining from a previous operating day, failure to collect and contain litter from the site by the end of each operating day, and open burning of refuse.

In its Motion to Amend, the Agency states that the parties have negotiated, that the Respondent plans to close the subject facility, and that the facility closure shall be in accordance with legal requirements. The Agency further states that the State is best served by reducing the civil penalty by one thousand dollars (\$1,000.00) to allow that money to be used for proper closure of the site. The remaining violation in the proposed Amended Administrative Citation is for uncovered refuse remaining from the previous operating day, subjecting Respondent to a civil penalty of five hundred dollars (\$500.00).

The Agency's Motion to Amend is hereby granted. Respondent is given 35 days from the date of this Order to appeal, or a default judgment shall be entered by the Board.

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 27th day of April, 1989, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board