

ILLINOIS POLLUTION CONTROL BOARD
December 7, 2000

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	
)	
v.)	AC 01-12
)	(IEPA No. 475-00-AC)
J & T RECYCLING and JOHN A. GORDON,)	(Administrative Citation)
)	
Respondents.)	
)	

ORDER OF THE BOARD (by C.A. Manning):

On November 2, 2000, pursuant to Section 31.1(b) of the Environmental Protection Act (Act) (415 ILCS 31.1(b) (1998)), the Illinois Environmental Protection Agency issued an administrative citation to J & T Recycling (J & T) and John A. Gordon (Gordon). The administrative citation alleges that the respondents caused or allowed the open dumping of waste in a manner that resulted in litter and open burning. These activities were in alleged violation of Sections 21(p)(1) and (p)(3) of the Act (415 ILCS 5/21(p)(1), (p)(3) (1998), as amended by Pub. Act 91-72, eff. July 9, 1999). The alleged violations occurred at a site located in Marion, Williamson County, Illinois.

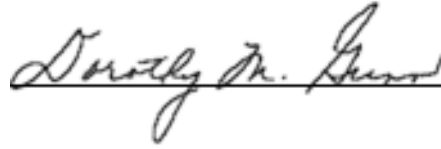
On December 4, 2000, Gordon filed a petition for review of the administrative citation pursuant to Section 31.1(d). 415 ILCS 31.1(d) (1998). The Board accepts this matter for hearing. The Board reminds Gordon that, after hearing, any person found to have violated the Act as alleged in the administrative citation is liable to pay a penalty under Section 42(b)(4) of the Act of \$1,500 per violation, as well as any hearing costs incurred by the Board or the complainant. 415 ILCS 42(b)(4) (1998).

The Board directs that this matter proceed to hearing as expeditiously as practicable. The assigned hearing officer must set the matter for hearing in accordance with the requirements of the Act and the Board's procedural rules.

Finally, in the event J & T fails to timely file a petition for review on or before December 11, 2000, the Board will proceed to enter a default judgment against it as required by Section 31.1 of the Act. 415 ILCS 31.1 (1998).

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 7th day of December 2000 by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board