

ILLINOIS POLLUTION CONTROL BOARD
July 13, 1989

IN THE MATTER OF:)
)
HERBERT SIMMONS, INC.,) AC 89-103
) (IEPA Docket No. 9645-AC)
Respondent.)

ORDER OF THE BOARD:

This matter comes before the Board upon a May 23, 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 Herbert Simmons on May 17, 1989. The Agency alleges that Herbert Simmons has violated Section 21(q)(1) of the Act. The statutory penalty established for this violation is \$500.00 pursuant to Section 42(b)(4) of the Act.

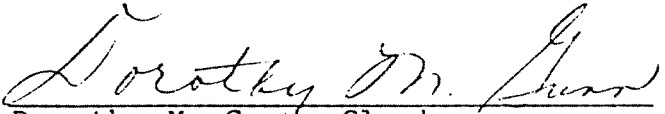
Herbert Simmons has not filed a Petition for Review with the Clerk of the Board within 35 days of the date of service as allowed by Section 31.1(d)(2) of the Act. Therefore, pursuant to Section 31.1(d)(1), the Board finds that Herbert Simmons has violated the provision alleged in the Administrative Citation. Since there is one (1) such violation, the total penalty to be imposed is set at \$500.00.

It is hereby ordered that, unless the penalty has already been paid, within 30 days of the date of this Order Herbert Simmons 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

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 13th day of July, 1989, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board