

ILLINOIS POLLUTION CONTROL BOARD
April 12, 1990

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	
)	
v.)	AC 89-175
)	IEPA No.9820-AC
)	(Administrative Citation)
STRYKER INTERNATIONAL, INC.,)	
)	
Respondent.)	

ORDER OF THE BOARD (by J. Marlin):

This matter comes before the Board on a March 16, 1990 motion to dismiss Petition for Review filed by the respondent, Stryker International. In support of his motion respondent states that the contested allegations were removed from the complaint and "this matter is now moot."

On August 10, 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 Stryker International on August 8, 1989. The Agency alleges that on June 9, 1989, Stryker International, present operator of a facility located in the County of Cook, violated Sections 21(p)(5) and 21(p)(9) of the Act. The statutory penalty established for each violation is \$500.00 pursuant to Section 42(b)(4) of the Act.

A Petition for Review was filed on September 8, 1989 to contest the Administrative Citation. Subsequently, the Board allowed the Citation to be amended to delete the alleged violation of 21(p)(9), leaving one violation with a corresponding reduction in civil penalty. The respondent's motion to dismiss the Petition for Review is granted.

Therefore, pursuant to Section 31.1(d)(1), the Board finds that Stryker International has violated the provisions 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 Stryker International 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 18th day of APRIL, 1990, by a vote of 7-0.

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