

ILLINOIS POLLUTION CONTROL BOARD
June 10, 1982

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)
)
Complainant,)
)
v.) PCB 81-143
)
RONALD WHEELER AND ROBERT WHEELER,)
individually, and doing business as)
WHEELER GARAGE AND COAL HANDLING OPERATION,)
)
Respondents.)


ORDER OF THE BOARD (by I. Goodman):

On April 26, 1982 the parties filed a Proposed Settlement Agreement with the Board. Having received the record in this matter, the Board finds the terms of the Proposed Settlement acceptable, but for the provision to deposit the Stipulated Penalty into the Environmental Protection Trust Fund as established by P.A. 81-951. The Board questions the statutory authority to have penalties imposed by the Board paid into this Trust Fund. The Proposed Settlement Agreement is rejected and returned to the parties for further action.

IT IS SO ORDERED.

Chairman Dumelle concurred.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 10th day of June, 1982 by a vote of 5-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board