

ILLINOIS POLLUTION CONTROL BOARD

July 25, 1974

ENVIRONMENTAL PROTECTION AGENCY,)
)
 Complainant,)
)
 vs.) PCB 73-390
)
 ILLINOIS VALLEY HARDWOOD,)
)
 Respondent.)

Thomas A. Cengel, Assistant Attorney General for the EPA
Don P. Boggs, Attorney for Respondent

OPINION AND ORDER OF THE BOARD (by Mr. Henss):

Illinois Valley Hardwood owns and operates a sawmill in Havana Township approximately one mile east of Havana, Illinois. In its Complaint against Respondent the Agency alleges that Respondent caused or allowed the open burning of refuse on eleven specific dates in 1973 in violation of Section 9(c) of the Environmental Protection Act and Rule 502 of the Air Pollution Control Regulations.

The parties have submitted a Settlement Agreement wherein Respondent admits to the violations as charged and agrees to remit \$1,000 as penalty for the admitted violations. Respondent agrees to cease and desist from further violations of this type and will dispose of its waste materials without recourse to open burning. According to the Agreement, some of the waste will be processed through a wood chipper, and sawdust will be sold.

We accept the Settlement Agreement and commend the parties for the forthright manner in which the issues were resolved.

ORDER

It is the Order of the Pollution Control Board that :

1. Illinois Valley Hardwood shall pay to the State of Illinois by August 30, 1974 the sum of \$1,000 as a penalty for the violations admitted in this proceeding. Penalty payment by certified check or money order payable to the State of Illinois shall be made to:

Fiscal Services Division, Illinois EPA, 2200
Churchill Road, Springfield, Illinois 62706.

2. Respondent shall cease and desist from further violations of Section 9(c) of the Environmental Protection Act and Rule 502 of the Air Pollution Control Regulations.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted this 25th day of July, 1974 by a vote of 5 to 0.

Christan L. Moffett