ILLINOIS POLLUTION CONTROL BOARD
September 27, 1990

ILLINOIS ENVIRONMENTAL   )
PROTECTION AGENCY,   )
)
            Complainant,   )
)
            v.   )   AC 90-73
)   (EPA Docket No. 337-90-AC)
ROBERT E. SPAENHOWER,   )   (Administrative Citation)
)
            Respondent.   )

ORDER OF THE BOARD:

     This matter came before the Board upon an August 6, 1990
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, but will not be
printed in the Board's Opinion Volumes. Service of the
Administrative Citation was made upon Robert Spaenhower on August
2, 1990. The Agency alleges that on June 5, 1990, Robert
Spaenhower, present owner and/or operator of a facility located
in Morgan County, violated Sections 21(q)(1), 21(q)(3), 21(q)(4)
and 21(q)(5) of the Act. The statutory penalty established for
each of these violations is $500.00 pursuant to Section 42(b)(4)
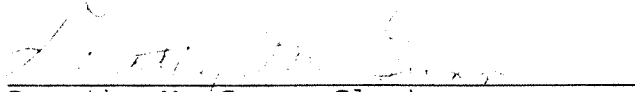of the Act.

     Robert Spaenhower 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 Robert Spaenhower has
violated each and every provision alleged in the Administrative
Citation. Since there are four (4) such violations, the total
penalty to be imposed is set at $2,000.00.

     It is hereby ordered that, <u>unless the penalty has already
been paid</u>, within 30 days of the date of this Order Robert
Spaenhower 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 $2,000.00 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 _____ day of _____, 1990, by a vote of _____.

_____
Dorothy M. Gunn, Clerk
Illinois Pollution Control Board