

ILLINOIS POLLUTION CONTROL BOARD

April 17, 1997

COUNTY OF JACKSON,)	
)	
Complainant,)	
)	AC 96-57
v.)	(Administrative Citation)
)	
SOUTHERN ILLINOIS REGIONAL)	
LANDFILL (DeSoto/SIRL Site),)	
)	
Respondent.)	

OPINION AND ORDER OF THE BOARD (by J. Theodore Meyer):

This matter comes before the Board on an Administration Citation filed by the County of Jackson (County) pursuant to the Illinois Environmental Protection Act (Act). The citation was issued on June 20, 1996 and alleged that respondent was in violation of the Act, specifically, Section 21(o)(1), causing or allowing refuse in standing waters; Section 21(o)(2), causing or allowing leachate flows to enter waters of the State; Section 21(o)(5), causing or allowing uncovered refuse to remain from previous day s operations; and Section 21(o)(12), causing or allowing litter to be uncollected and not contained after the end of the previous day s operations.

Hearing was held on November 6, 1996 in Murphysboro, Illinois. On December 19, 1996, the Board issued an interim opinion and order finding that the cited violations had occurred and imposed a penalty of \$2,000.00. The Board also directed the Clerk of the Board and the County to file affidavits declaring their hearing costs.

On December 26, 1996, the Clerk of the Board filed an affidavit stating that the Board s hearing costs were one hundred, twenty-one dollars and sixty-five cents (\$121.65). The Board s costs cover the court reporter costs. Jackson County did not file an affidavit of hearing costs, and respondent did not file an objection to the Clerk of the Board s affidavit of costs. Therefore the total hearing cost to be assessed against respondent is one hundred, twenty-one dollars and sixty-five cents (\$121.65).

This opinion constitutes the Board s findings of fact and conclusions of law in this matter.

ORDER

1. It is hereby ordered that within 45 days of the date of this order, respondent shall, by certified check or money order payable to the State of Illinois, designated for deposit to the General Revenue Fund, pay as compensation for hearing costs incurred by the Board, the amount of one hundred, twenty-one dollars and sixty-five cents (\$121.65) which is to be sent by First Class mail to:

Illinois Environmental Protection Agency
Fiscal Services Division
2200 Churchill Road
P.O. Box 19276
Springfield, IL 62794-9276

2. The Board closes the docket in this matter.

IT IS SO ORDERED.

Section 41 of the Environmental Protection Act (415 ILCS 5/41 (1994)) provides for the appeal of final Board orders within 35 days of the date of service of this order. The Rules of the Supreme Court of Illinois establish filing requirements. (See also 35 Ill. Adm. Code 101.246 "Motions for Reconsideration".)

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above opinion and order was adopted on the ____ day of _____, 1997, by a vote of _____.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board