

ILLINOIS POLLUTION CONTROL BOARD
October 25, 1990

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.) AC 90-49
) (IEPA Case No. 258-90-AC)
) (Administrative Citation)
WASTE HAULING LANDFILL, INC.,)
)
Respondent.)

ORDER OF THE BOARD BY (J. C. Marlin):

This matter comes before the Board on an October 17, 1990 "Response to Board Order of October 11, 1990" filed by the respondent. The Response requests the withdrawal of the respondent's petition for review, and therefore, is construed as a motion to withdraw.

The motion to withdraw the petition for review is granted.

On June 25, 1990 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 the Waste Hauling Landfill, Inc. on June 22, 1990. The Agency's amended administrative citation alleges that on April 26, 1990, Waste Hauling Landfill, present operator of a facility located in the County of Macon, violated Sections 21(p)(5), 21(p)(12), 21(p)(2), 21(p)(1) 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.

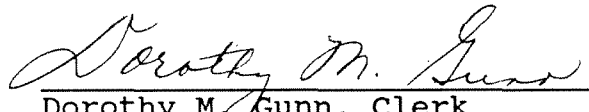
Respondent filed a petition for review on June 23, 1990. The administrative citation was amended by the Agency on October 11, 1990. Subsequently, the petition for review was withdrawn by respondent. Therefore, pursuant to Section 31.1, the Board finds that Waste Hauling Landfill, Inc. has violated the provisions alleged in the amended Administrative Citation. Since there are five (5) such violations, the total penalty to be imposed is \$2,500.00.

It is hereby ordered that, unless the penalty has already been paid, within 30 days of the date of this Order Waste Hauling Landfill, Inc. 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 \$2,500.00 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 25th day of October, 1990, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board