

ILLINOIS POLLUTION CONTROL BOARD
February 19, 1998

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 96-233
) (Enforcement - Land)
ESG WATTS, INC., an Iowa corporation,)
)
Respondent.)
)

ORDER OF THE BOARD (by M. McFawn):

Pursuant to 35 Ill. Adm. Code 103.241(a), the Board today corrects a typographical error in its February 5, 1998, order in the above-captioned enforcement action. The total penalties assessed against respondent ESG Watts, Inc., add up to \$655,200, not \$680,200 as was stated in the February 5 order. Accordingly, paragraphs 2 and 3 of the Board's February 5 order are hereby amended to provide as follows:

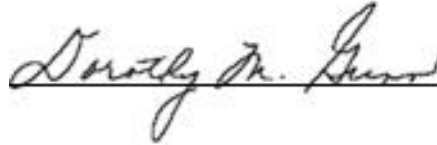
2. For the reasons set forth in the foregoing opinion, the Board hereby assesses the following penalties against ESG Watts: \$232,000 for violations found under count I, \$212,500 for violations found under count II, \$120,000 for violations found under count III, and \$90,700 for violations found under count V, for a total penalty of \$655,200.
3. ESG Watts must pay \$655,200 on or before April 2, 1998. Such payment must be made by certified check or money order payable to the Treasurer of the State of Illinois, designated to the Environmental Protection Trust Fund, and must be delivered to:

Illinois Environmental Protection Agency
Fiscal Services Division
1021 North Grand Avenue East
Springfield, IL 62702

ESG Watts must write its Federal Employer Identification Number on the certified check or money order. Any portion of the penalties assessed not paid by April 2, 1998, will incur interest at the rate set forth in Section 1003(a) of the Illinois Income Tax Act (35 ILCS 5/1003(a)), as now or hereafter amended, from the date payment is due until the date payment is received. Interest will not accrue during the pendency of an appeal during which payment of the penalty has been stayed.

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 19th day of February 1998, by a vote of 6-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board