

ILLINOIS POLLUTION CONTROL BOARD  
January 11, 1995

PEOPLE OF THE STATE )  
OF ILLINOIS, )  
 )  
 )  
Complainant, )  
 )  
v. ) PCB 94-301  
 ) (Enforcement)  
COLFAX CORPORATION, )  
an Illinois Corporation, )  
 )  
 )  
Respondent. )

ORDER OF THE BOARD:

On December 22, 1994, respondent filed a motion to modify the Board's order of December 1, 1994. The December 1st order accepted a settlement agreement filed by the parties in this enforcement action and closed the docket. The respondent requests that the Board modify the order by deleting paragraph three (3), which provides that Colfax Corporation will "cease and desist" from further violations. This paragraph did not appear in the settlement agreement submitted by the parties, and its inclusion was inadvertent.

The motion to modify is granted. For the convenience of the parties, the modified order is set out in its entirety below:

ORDER

- 1) The Board hereby accepts the Stipulation and Settlement Agreement executed by the People of the State of Illinois and Colfax Corporation, concerning the Joliet Army Ammunition Plant located in Will County, Illinois. The Stipulation and Settlement Agreement are incorporated by reference as though fully set forth herein.
- 2) Colfax Corporation, shall pay the sum of eleven thousand dollars (\$11,000.00) within 30 days of the date of this Order. Such payment shall 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 shall be sent by First Class mail to:

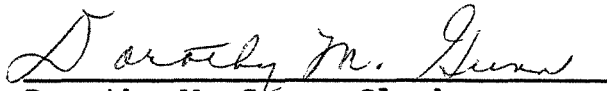
Illinois Environmental Protection Agency  
Fiscal Services Division  
2200 Churchill Road  
P.O. Box 19276  
Springfield, IL 62794-9276

The certified check or money order shall clearly indicate on its face, Colfax Corporation's Federal Employer Identification Number or Social Security Number and that payment is directed to the Environmental Protection Trust Fund.

Any such penalty not paid within the time prescribed shall incur interest at the rate set forth in subsection (a) of Section 1003 of the Illinois Income Tax Act, (35 ILCS 5/1003), as now or hereafter amended, from the date payment is due until the date payment is received. Interest shall 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 11<sup>th</sup> day of January, 1995, by a vote of 6-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board