

ILLINOIS POLLUTION CONTROL BOARD

July 18, 1996

COUNTY OF LASALLE,)	
)	
Complainant,)	
)	AC 96-50
v.)	(Administrative Citation)
)	
LONE STAR INDUSTRIES, INC.,)	
)	
Respondent.)	

ORDER OF THE BOARD (by C.A. Manning):

This matter comes before the Board upon the May 20, 1996 filing of an administrative citation pursuant to Section 31.1 of the Environmental Protection Act (Act) by the County of LaSalle (County). 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 Lone Star Industries, Inc. (Lone Star) on May 16, 1996. The County alleges that on April 18, 1996 and again on April 25, 1996 Lone Star, present owner and/or operator of a facility located in LaSalle County and commonly known to the County as Lone Star Industries, Inc., violated Sections 21(p)(1), 21(p)(3), and 21(p)(4) of the Act. The statutory penalty established for each violation is \$500 pursuant to Section 42(b)(4) of the Act.

Lone Star 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 Lone Star has violated the provisions alleged in the administrative citation. Since there are three (3) such violations, the total penalty to be imposed is set at \$1,500.

1. It is hereby ordered that, unless the penalty has already been paid, within 30 days of the date of this order, Lone Star shall, by certified check or money order payable to the LaSalle County Department of Solid Waste Management, pay a penalty in the amount of \$1,500, which is to be sent to:

LaSalle County Department of Solid Waste Management
119 West Madison Street
Room 400
Ottawa, IL 61350

2. Respondent shall include the remittance form and write the case name and number and its social security or federal employer identification number on the certified check or money order.

3. Penalties unpaid after the due date shall accrue interest pursuant to Section 42(g) of the Act.
4. Payment of this penalty does not prevent future prosecution if the violation continues.

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 order was adopted on the _____ day of _____, 1996, by a vote of _____.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board