

ILLINOIS POLLUTION CONTROL BOARD
May 18, 2000

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	
)	
v.)	AC 00-69
)	(IEPA No. 028-00-AC)
RAYMOND POLLOCK,)	(Administrative Citation)
)	
Respondent.)	

OPINION AND ORDER OF THE BOARD (by E.Z. Kezelis):

This matter is before the Board on an administrative citation filed by the Illinois Environmental Protection Agency (Agency) on February 4, 2000. In the administrative citation, the Agency alleges that the respondent, Raymond Pollock (Pollock), violated Section 21(p)(1) of the Environmental Protection Act (Act) (415 ILCS 5/21(p)(1) (1998)). The Agency alleges that the violation occurred at a facility located in Douglas County, Illinois. On February 17, 2000, Pollock filed a petition for review of the administrative citation.

On May 5, 2000, the parties submitted a “Joint Stipulation of Settlement and Dismissal of Respondent’s Petition for Administrative Review.” Pursuant to the terms of the joint stipulation of settlement, Pollock agrees to admit the violation of Section 21(p)(1) of the Act; pay the \$1,500 statutory penalty; cease and desist from further violations; and remove and properly dispose of any waste located at the Douglas County facility. Additionally, Pollock moves to dismiss his petition for review.

The Board grants the motion and hereby dismisses Pollock’s petition for review. Pursuant to Section 31.1(d) of the Act (415 ILCS 5/31.1(d) (1998)), the Board finds that Pollock violated the provision alleged in the administrative citation, and finds that the appropriate penalty pursuant to Section 42(b)(4) of the Act (415 ILCS 5/42(b)(4) (1998)) is \$1,500.

ORDER

1. Raymond Pollock’s (Pollock) petition for review is hereby dismissed.
2. The Board finds that Pollock violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (1998)).

3. It is hereby ordered that Pollock must, by no later than March 1, 2001, by certified check or money order pay a penalty in the amount of \$1,500. The certified check or money order must be payable to the Treasurer of the State of Illinois, designated to the Environmental Protection Trust Fund, and must be sent to:

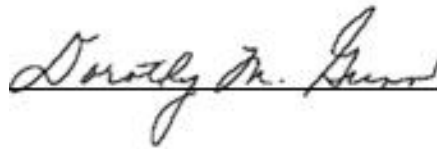
Illinois Environmental Protection Agency
Fiscal Services Division
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

4. The certified check or money order must clearly indicate on its face the case name and number and Pollock's social security or federal employer identification number.
5. Pollock must cease and desist from further violation of the Act and Board regulations.

IT IS SO ORDERED.

Section 41 of the Environmental Protection Act (415 ILCS 5/41 (1998)) provides for the appeal of final Board orders to the Illinois Appellate Court within 35 days of the date of service of this order. Illinois Supreme Court Rule 335 establishes such filing requirements. See 172 Ill. 2d R. 335; 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 18th day of May 2000 by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board