

ILLINOIS POLLUTION CONTROL BOARD

April 4, 1996

ENVIRONMENTAL PROTECTION)	
AGENCY,)	
)	
Complainant,)	
)	
v.)	AC 94-24
)	(IEPA No. 196-94-AC)
FRANK BLAIR,)	(Administrative Citation)
)	
Respondent.)	

ORDER OF THE BOARD (by M. McFawn):

This matter is before the Board on a joint stipulation of settlement and dismissal filed by the parties on April 1, 1996. This administrative citation was originally filed by complainant Illinois Environmental Protection Agency on April 22, 1994, and respondent Frank Blair filed his petition for review on May 20, 1994.

In the joint stipulation of settlement, the parties state that they have engaged in negotiations and have reached a settlement agreement. As part of this agreement, respondent Frank Blair admits that he caused or allowed litter in violation of Section 21(p)(1) of the Environmental Protection Act (Act) (415 ILCS 5/21(p)(1) (1994)), as alleged in the administrative citation. Respondent further agrees to pay the statutory penalty of \$500 in full, on or before April 28, 1997, and requests that the Board dismiss his petition for review in this case. The proposed settlement agreement does not preclude enforcement against respondent for any future violations of local, state, federal, or common law, including but not limited to violations of the same type and nature as those enumerated in the April 22, 1994 administrative citation.

The Board hereby accepts the stipulated settlement agreement proposed by the parties. The attached order therefore finds respondent Frank Blair in violation of Section 21(p)(1) of the Act, assesses the statutory penalty of \$500, and directs respondent Frank Blair to pay such penalty on or before April 28, 1997.

ORDER

1. It is hereby ordered that, unless the penalty has already been paid, by April 28, 1997, the respondent shall, by certified check or money order payable to the Illinois Environmental Protection Trust Fund, pay a penalty in the amount of \$500.00, which shall be sent to:

Illinois Environmental Protection Agency
Attn: Fiscal Services
2200 Churchill Road, P.O. Box 19276
Springfield, Illinois 62974-9276

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 Illinois Environmental Protection Act.
4. Payment of this penalty does not prevent future prosecution if violations continue.

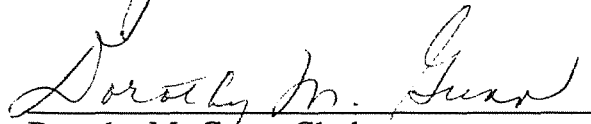
This docket is hereby closed.

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 4th day of April, 1996, by a vote of

7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board