

ILLINOIS POLLUTION CONTROL BOARD
February 17, 2000

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|--------------------------|---|---------------------------|
| COUNTY OF VERMILION, |) | |
| |) | |
| Complainant, |) | |
| |) | |
| v. |) | AC 00-63 |
| |) | County No. 99-01 |
| ILLINOIS LANDFILL, INC., |) | (Administrative Citation) |
| |) | |
| Respondent. |) | |

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

On January 10, 2000, the County of Vermilion (complainant) properly and timely filed an administrative citation with the Board pursuant to Section 31.1 of the Environmental Protection Act (Act) (415 ILCS 5/31.1 (1998)), alleging that Illinois Landfill, Inc. (respondent) violated Section 21(o)(12) of the Act (415 ILCS 5/21(o)(12) (1998)). The statutory penalty established for each violation is \$500 pursuant to Section 42(b)(4) of the Act. 415 ILCS 5/42(b)(4) (1998).

In this matter, respondent has not filed a petition for review with the Clerk of the Board within 35 days of the date of service as required by Section 31.1(d)(1) of the Act. 415 ILCS 5/31.1(d)(1) (1998). Accordingly, the Board finds that respondent has violated the provisions alleged in the administrative citation, which is attached hereto. Since there is one such violation, the total penalty to be imposed is \$500.

It is hereby ordered that:

1. Respondent shall pay a total civil penalty in the amount of \$500, within 30 days of the date of this order.
2. Payment shall be made in the form of a certified check or money order, payable to the County of Vermilion. The case number, case name, and respondent's social security number or federal employer identification number should also be included on the check (or money order).
3. The check (or money order) and the remittance form shall be sent to:

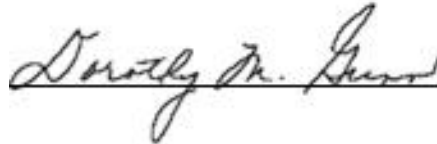
Vermilion County Health Department
200 South College Street
Danville, Illinois 61832

4. Penalties unpaid after 30 days of the date of this order shall accrue interest pursuant to Section 42(g) of the Act. 415 ILCS 5/42(g) (1998).
5. 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 (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 order was adopted on the 17th day of February 2000 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