

ILLINOIS POLLUTION CONTROL BOARD
August 8, 1991

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	
)	AC 89-72
v.)	(Docket B)
)	(IEPA Case No. 9568-AC)
CITY OF WEST FRANKFORT)	(Administrative Citation)
;)	
Respondent.)	

OPINION AND ORDER OF THE BOARD (by J. C. Marlin):

This matter comes before the Board on an Administrative Citation filed by the Illinois Environmental Protection Agency (Agency) pursuant to the Illinois Environmental Protection Act (Act) (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 1001 et. seq.). The citation was filed April 13, 1989 and alleged violations of Section 21(q) of the Act.

Hearing was scheduled for June 18, 1991 but was cancelled. Respondent moved to withdraw its petition for review on June 17 1991. On June 20, 1991, the Board issued an Order granting the motion to withdraw, finding that the cited violations had occurred and imposing a statutory penalty. The Board also directed the Clerk of the Board and the Agency to file affidavits declaring their hearing costs.

On July 2, 1991, the Clerk of the Pollution Control Board filed an affidavit stating that the Board's hearing costs were zero (\$0). The Agency did not file an affidavit. Therefore, there were no hearing costs incurred by the respondent.

This Opinion constitutes the Board's findings of facts and conclusions of law in this matter.

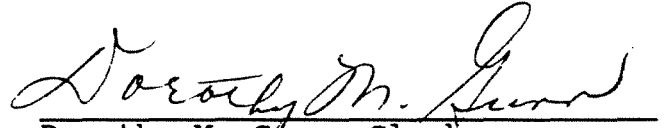
ORDER

There are no hearing costs to be assessed against the Respondent. This docket is closed.

Section 41 of the Environmental Protection Act, Ill. Rev. Stat. 1989, ch. 111 1/2, par. 1041, provides for appeal of final Orders of the Board within 35 days. The Rules of the Supreme Court of Illinois establish filing requirements.

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 8th day of August, 1991, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board