

ILLINOIS POLLUTION CONTROL BOARD
December 6, 1989

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
) AC 89-237
v.) (Administrative Citation)
) IEPA Case No. 9972-AC
GARY W. JACOBS,)
)
Respondent.)

ORDER OF THE BOARD (By J. Marlin):

This matter is before the Board on the respondent's letter of November 16, 1989. The Board construes this letter to be a petition for review from a November 6, 1989 Administrative Citation. The Board's file does not show proof of service on the Agency. The Clerk's office is directed to send the Agency a copy of the petition and accompanying documents.

The Board notes for clarification purposes, that it is the Illinois Environmental Protection Agency, and not the Pollution Control Board, that sends inspectors to verify clean ups or resolutions of these matters. The Clerk's office is directed to send to the respondent a copy of the Environmental Protection Act (Act) and the Board's Procedural Rules. Administrative citations are generally discussed in Section 31.1 of the Act.

The Board wishes to receive further information about this matter in that it is one of an increasing number of instances where respondents are confused by what appears to be the concurrent use of the AC process and other compliance initiatives for the same event. The Agency is hereby ordered to have its response to respondent's petition on file in the Board's offices by December 15, 1989, in order that the Board may consider this matter at its December 20, 1989 meeting. The Agency's response should include the following information:

1) a statement of the facts concerning this matter; including a chronology of the contacts between the respondent and Agency personnel, a brief description of what transpired during each contact, and whether there was any discussion of settling the matter and withdrawing the citation,

2) copies of all written correspondence between the respondent and the Agency relating to this event,

3) prints of the Agency's photo exhibits that

are clear and legible,

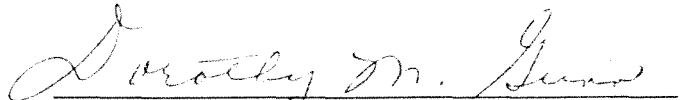
4) a statement as to whether or not the offending situation has been settled, cleaned up, rectified, or otherwise resolved,

5) any additional information or argument necessary to fully advise the Board as to the facts in this situation, and

6) any recommended disposition of the petition.

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 6th day of December, 1989, by a vote of 6-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board