

ILLINOIS POLLUTION CONTROL BOARD
February 7, 1991

COUNTY OF WILL,)
)
 Complainant,)
)
 v.) AC 90-96
) (Case No. WC 90 AC 7)
) (Administrative Citation)
 AMERICAN FLY ASH COMPANY,)
)
 Respondent.)

ORDER OF THE BOARD:

This matter comes before the Board upon a December 14, 1990 filing of an Administrative Citation pursuant to Section 31.1 of the Illinois Environmental Protection Act (Act) by the County of Will. A copy of that Administrative Citation is attached hereto, but will not be printed in the Board's Opinion Volumes. Service of the Administrative Citation was made upon American Fly Ash Company on December 13, 1990. Will County alleges that on November 8, 1990, American Fly Ash Company, present owner and/or operator of a facility located in Will County, and commonly known to the Agency as American Fly Ash Company, violated Section 21(p)(3) of the Act. The statutory penalty established for this violation is \$500.00 pursuant to Section 42(b)(4) of the Act.

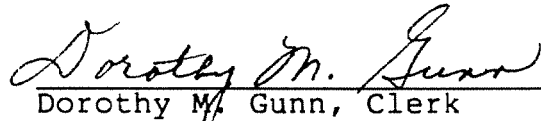
American Fly Ash Company has not filed a Petition for Review with the Clerk of the Board within 35 days of the date of service as allowed by Section 31.1(d)(2) of the Act. Therefore, pursuant to Section 31.1(d)(1), the Board finds that American Fly Ash Company has violated the provision alleged in the Administrative Citation. Since there is one (1) such violation, the total penalty to be imposed is set at \$500.00.

It is hereby ordered that, unless the penalty has already been paid, within 30 days of the date of this Order American Fly Ash Company shall, by certified check or money order payable to the County of Will, pay a penalty in the amount of \$500.00 which is to be mailed to:

Kevin Standbridge, Solid Waste Director
The Will County Land Use Department
Solid Waste Division
501 Ella Avenue
Joliet, Illinois 60433

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 7th day of February, 1991, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board