

ILLINOIS POLLUTION CONTROL BOARD
November 7, 1996

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	
)	AC 95-26
v.)	(Administrative Citation)
)	(IEPA No. 181-95-AC)
ORVILLE BARTELS,)	
)	
Respondent.)	

ORDER OF THE BOARD (by J. Theodore Meyer):

On October 2, 1996 the Illinois Environmental Protection Agency (Agency) and respondent Orville Bartels (Bartels) filed a joint stipulation of settlement and motion to dismiss the petition for review. The parties reached a settlement agreement wherein Bartels admitted to one count of causing or allowing litter in violation of Section 21(p)(1) of the Environmental Protection Act. The proposed settlement stated that Bartels agreed to pay the statutory penalty of \$500 in full on or before September 20, 1996. On October 3, 1996 the Board accepted the stipulated settlement agreement proposed by the parties and directed Bartels to pay such penalty on or before, September 20, 1996.

On October 23, 1996 the Agency filed a Motion to Extend the Respondent's Time to Pay, stating that it was the parties' original intention to allow Bartels until September 20, 1997 to pay the statutory penalty. The Board grants the Agency's motion, and amends its prior order to reflect that Bartels is directed to pay such penalty on or before September 20, 1997.

ORDER

1. It is hereby ordered that, unless the penalty has already been paid by September 20, 1997, respondent shall, by certified check or money order payable to the Illinois Environmental Protection Fund, pay a penalty in the amount of \$500 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.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the _____ day of _____, 1996, by a vote of _____.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board