

ILLINOIS POLLUTION CONTROL BOARD  
October 11, 1990

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Complainant, )  
 )  
v. ) AC 90-77  
 ) (EPA Docket No. 350-90-AC)  
HENRY NELCH and SON COMPANY, ) (Administrative Citation)  
 )  
Respondent. )

ORDER OF THE BOARD:

This matter comes before the Board upon an August 20, 1990 filing of an Administrative Citation pursuant to Section 31.1 of the Illinois Environmental Protection Act (Act) by the Illinois Environmental Protection Agency (Agency). 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 Henry Nelch on August 20, 1990. The Agency alleges that on July 23, 1990, Henry Nelch, present owner and/or operator of a facility located in Sangamon County, violated Sections 21(q)(1) and 21(q)(4) of the Act. The statutory penalty established for each of these violations is \$500.00 pursuant to Section 42(b)(4) of the Act.

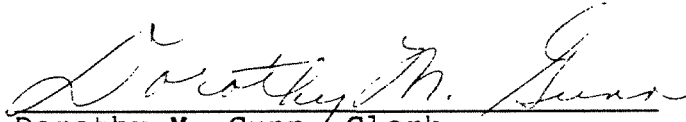
Henry Nelch has not filed a Petition for Review with the Clerk of the Board within 35 days of the date of service as allowed by Section 31.1(d)(2) of the Act. Therefore, pursuant to Section 31.1(d)(1), the Board finds that Henry Nelch has violated each and every provision alleged in the Administrative Citation. Since there are two (2) such violations, the total penalty to be imposed is set at \$1,000.00.

It is hereby ordered that, unless the penalty has already been paid, within 30 days of the date of this Order Henry Nelch shall, by certified check or money order payable to the State of Illinois and designated for deposit into the Environmental Protection Trust Fund, pay a penalty in the amount of \$1,000.00 which is to be sent to:

Illinois Environmental Protection Agency  
Fiscal Services Division  
2200 Churchill Road  
Springfield, IL 62706

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 11<sup>th</sup> day of October, 1990, by a vote of 6-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board