

## \$7,500 Administrative Penalty Citation Issued by IL Pollution Control Board for Open Dumping

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On February 18, 2010, the Illinois Pollution Control Board issued an administrative citation order in *County of Jackson v. Clover, IPCB No. AC 10-5*, which concerned defendant's facility located in Jackson County, Illinois and known as the "Murphysboro/Gary Clover site".

Jackson County alleged that the defendant violated the Illinois Environmental Protection Act by allowing litter, open burning, and deposition of general construction or demolition debris or clean construction or demolition debris. Because the defendant failed to file a proper petition for review of the administrative citation, the Pollution Control Board found that the defendant committed the violations alleged and imposed the civil penalty provided in the regulations.

The civil penalty for violating the relevant regulation is \$1,500 for each violation, except that the penalty amount is \$3,000 for each violation that is the person's second or subsequent adjudicated violation of that provision. Because there were three violations of the regulation in this case, and the record indicated that two of them are second or subsequent adjudicated violations, the total civil penalty was \$7,500.

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