

ILLINOIS POLLUTION CONTROL BOARD

February 5, 2004

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	
)	
v.)	AC 04-29
)	(IEPA No. 724-03-AC)
CHARLES L. PARKER,)	(Administrative Citation)
)	
Respondent.)	

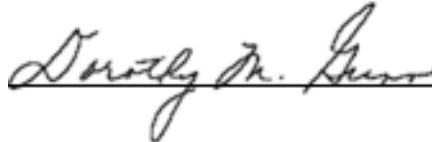
ORDER OF THE BOARD (by J.P. Novak):

On December 22, 2004, the Illinois Environmental Protection Agency (Agency) timely filed an administrative citation against Charles L. Parker. *See* 415 ILCS 5/31.1(c) (2002); 35 Ill. Adm. Code 108.202(c). The Agency alleges that Charles L. Parker violated Section 21(p)(1) and (p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1) and (p)(7) (2002)). The Agency further alleges that Charles L. Parker violated these provisions by causing or allowing the open dumping of waste in a manner that resulted in (1) litter; and (2) deposition of general construction or demolition debris or clean construction or demolition debris at the north half of the southwest quarter or Section 32, Township 20 North, Range 2 West of the Third Principal Meridian in Logan County.

However, the Agency states, in a February 2, 2003 motion to dismiss, that it failed to serve the administrative citation on Charles L. Parker within "60 days after the date of the observed violation." 415 ILCS 5/31.1(b) (2002); *see also* 35 Ill. Adm. Code 108.202(b). The Board therefore dismisses this case and closes the docket. *See* 35 Ill. Adm. Code 108.402.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on February 5, 2004, by a vote of 4-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board